

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH BANGALORE

DATED THIS THE 25th MARCH, 1987

Present : Hon'ble Sri Ch. Ramakrishna Rao - Member (J)

Hon'ble Sri L.H.A. Rego - Member (A)

APPLICATION No. 1312/86

P.Prabhudas

Ticket No. 1976, Smithy Shop

Railway Workshop,

South Central Railway, Hubli

- Applicant

(Sri Suresh S. Joshi, Advocate)

and

1. Production Engineer

South Central Railway Workshop

Hubli

2. S.B. Narendra

Chief Draftsman and Enquiry Officer

Drawing Office, South Central Railway

Workshop, Hubli

3. Additional Chief Mechanical Engineer

South Central Railway Workshop

Hubli

4. The General Manager,

South Central Railway, Secunderabad

- Respondents

(Sri M.Sreerangaiah, Advocate)

This application came up for hearing before
this Tribunal and Hon'ble Sri Ch. Ramakrishna Rao,
Member (J) to-day made the following

ORDER

This application was initially filed in the
High Court of Karnataka and subsequently transferred to
this Tribunal. & The facts giving rise to the application
are, briefly, as follows: As a sequel to the proceedings
initiated against the applicant under Rule 9 of the
Railway Servants (Discipline & Appeal) Rules, 1968

the disciplinary authority ('R1') passed an order dated 4.8.1982 (Annexure 'C') imposing on him the penalty of removal from service. This order was confirmed by the appellate authority ('R3'). Against the order passed by R3 the applicant filed a revision petition under Rule 24(2) of the Rules on 15.9.1983 but the same is pending to be disposed of. Against the orders passed by R1 and R3 the applicant has filed this application

2. We are surprised - nay shocked - that the General Manager, South Central Railway ^{GA ('R4')} who is the revisional authority in this case, has not been prompt enough to deal with the petition filed by the applicant before him nor has he cared to send any interim reply to the applicant. It is on account of the inaction of R4 that the applicant was driven to the necessity of filing this application. We do not, however, consider it appropriate to allow a statutory remedy invoked by the applicant to go unheeded. ~~We, therefore, direct R4~~
In this connection R4 may take note of the following observations made by the Supreme Court in Ram Chander v Union of India AIR 1986 SC 1173 which are equally applicable to disposal of revision petitions.

"We wish to emphasize that reasoned decisions by tribunals such as the Railway Board in the present case, will promote public confidence in the administrative process. An objective consideration is possible only if the delinquent servant is heard and given a chance to satisfy the Authority regarding the final orders that may be passed on his appeal. Considerations of fair-play and justice also require that such a personal hearing should be given."

We, therefore, consider it appropriate to remit the matter to R4 for disposing of the revision petition. We, therefore, direct R4 to dispose of the revision petition within a period of three months from the receipt of this order by a reasoned order after affording a personal hearing to the applicant. If the applicant is aggrieved by the order passed by the appellate authority he is at liberty to move this Tribunal.

3. In the result the application is disposed of subject to the directions given above. No order as to costs.

Member (J)
25/3/87
Member (J)

Member (A)
25/3/87
Member (A)

REGISTERED

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH
@@@@@@@@@@@@@@@@

Commercial Complex(BDA),
Indiranagar,
Bangalore - 560 038

Dated : 11-6-87

IA I IN - APPLICATION NO 1312 /86(T)

W.P. NO 10632 / 84

Applicant

Shri P. Prabhudas

V/s The Production Engineer, SC Railway
Hubli & 3 Ors

To

1. Shri P. Prabhudas
Ticket No. 1976
Smithy Shop
Railway Workshop
South Central Railway
Hubli
2. Shri Suresh S. Joshi
Advocate
15, 3rd Cross, Nehru Nagar
Bangalore - 560 020
3. The Production Engineer
South Central Railway Workshop
Hubli

4. Shri S.B. Narendra
Chief Draughtsman & Enquiry Officer,
Drawing Office, South Central Railway
Workshop, Hubli
5. The Additional Chief Mechanical Engineer
South Central Railway Workshop
Hubli
6. The General Manager
South Central Railway
Rail Bhavan
Secunderabad (A.P.)
7. Shri M. Sraerangaiah
Railway Advocate
3, S.P. Buildings, 10th Cross, Cubbonpet
Main Road,
B'lore - 2

Subject: SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith the copy of ORDER/~~STAY~~/

~~INTERIM ORDER~~ passed by this Tribunal in the above said
application on 3-8-87.

R. V. Venkatesh
DEPUTY REGISTRAR
~~SECTION OFFICER~~
(JUDICIAL)

Encl : as above

RECEIVED 12/8/87
19/8/87

or please write 11/8/87

**IN THE CENTRAL ADMINISTRATIVE
TRIBUNAL ADDITIONAL BENCH,
BANGALORE**

ORDER SHEET

Application No 1312 of 1986 (T)

Applicant

P. Prabhudas

Advocate for Applicant

Suresh S. Joshi

v/s

Respondent

The production Engineer,
South Central Railway E. 3 ORS
Advocate for Respondent

M. Sreerangaiah

Date	Office Notes	Orders of Tribunal
------	--------------	--------------------

VC/M(R)

3.8.1987.

Orders on I.A.No.1:

In this I.A., the respondents have sought for extension of time by six weeks for complying with the ~~xxx~~ directions made by this Tribunal in its order dated 25.3.1987.

We have perused the application. We are satisfied that the circumstances stated by the respondents justify us to grant the extension of time sought for by them. We, therefore, allow the I.A. and grant 45 days from this day for complying with the directions issued by this Tribunal in A.No.1312 of 1986, on 25.3.1987. Parties to bear their own costs.



[Signature]
DEPUTY REGISTRAR
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE

[Signature]
VICE CHAIRMAN
dms.

[Signature]
3-8-87
MEMBER (AM)

-True Copy-