

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Second Floor,
Commercial Complex,
Indiranagar,
Bangalore-560 038.

Dated: 3 SEP 1993

APPLICATION NO(s). 167/93.

Applicant(s) M.K. Anandakumar

Respondent(s) The G.M.
(Personnel Branch)
Blue. 4 & 6.

To M.K. Anandakumar

① ~~The General Manager~~ Axel Unit operator Gr-II
Wheel and Axel plant Shop.
Wheel and Axle plant, Yelabanka
Bangalore. 64.

② The General Manager (Personnel Br)
Wheel and Axle plant, Yelabanka,
Blue. 64.

③ The Chief Mechanical Engineer (A)
Wheel and Axle plant, Yelabanka,
Bangalore. 64.

④ The Asst. Personnel Manager,
Wheel and Axle plant, Yelabanka,
Blue. 64.

⑤ Sh. H.S. Jois Advocate
no. 26, Vajdevi, Shankaragare,
Shankarapuram, Blue. 6.

⑥ Sh. An. Venugopal, Pky. Counsel,
no. 8/2, 1st floor, RV Road,
Blue. 560004.

SUBJECT:- Forwarding of copies of the Order passed by
the Central Administrative Tribunal, Bangalore Bench
Bangalore.

Please find enclosed herewith a copy of the ORDER/
~~STAY/INTERIM ORDER~~ passed by this Tribunal in the above said
application(s) on 20/8/93.

Issued
[Signature]

[Signature]
29/9/93
DEPUTY REGISTRAR
JUDICIAL BRANCHES.
for

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

BANGALORE BENCH : BANGALORE

DATED THIS THE 20TH DAY OF AUGUST, 1993.

PRESENT

HON'BLE SHRI V. RAMAKRISHNAN .. MEMBER (A)

HON'BLE SHRI A.N. VUJJANARADHYA .. MEMBER (J)

APPLICATION No.167/93.

M.K. Anandakumar,
S/o.M.D. Krishnappa,
Axle Unit Operator Gr.II,
Wheel & Axle Plant Shop,
Wheel & Axle Plant, Yelahanka,
Bangalore-64. ... Applicant

(Shri H.S. Jois .. Advocate)

Vs.

1. The General Manager (Personnel Branch),
Wheel & Axle Plant, Yelahanka,
Bangalore-64.
2. The Chief Mechanical Engineer (A),
Wheel & Axle Plant, Yelahanka,
Bangalore-64.
3. The Assistant Personnel Manager,
Wheel & Axle Plant, Yelahanka,
Bangalore-64. ... Respondents

(Shri A.N.Venugopal .. Advocate)

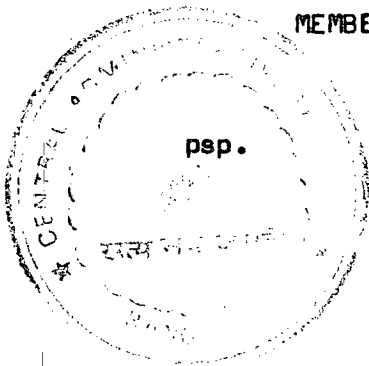
This application, having come up before this Tribunal today for admission, Hon'ble Shri V. Ramakrishnan, Member (A), made the following :

ORDER

We have heard Shri Jois, the learned counsel for the applicant as also Shri A.N.Venugopal, the learned standing counsel for the Railways. The applicant has been removed from service by the orders of the Disciplinary Authority as at Annexure A4 dated 10.8.1992 against which he preferred an appeal on 16.9.1992 at Annexure A5. The appeal was dismissed by the Appellate Authority by its order dated 13.11.1992 as at Annexure A6.



2. It is seen the applicant has not filed the Revision Petition as provided under Rule 25 of the Railway Servants (Disciplinary and Appeal) Rules. This Tribunal has held in a number of similar cases that the right to file a Revision Petition is also in the nature of a statutory right and this should be exhausted before the applicant moves the Tribunal for relief. In consonance with the decisions referred to above, the learned counsel for the applicant submits that the applicant will now file a Revision Petition before the competent authority. We agree to this submission and if the applicant files a Revision Petition within one month from the date of this order, the Respondent-Railways should dispose off the same within three months from the date of receipt of the same without taking the plea of limitation. Shri Jois submits that in case the applicant is still aggrieved after the Revisional Authority's decision, he may be granted liberty to approach the Tribunal again. We agree.
3. With this observation, the matter is finally disposed off with no order as to costs.



Sd/-
20/8/93
MEMBER (J)

Sd/-
20/8/93
MEMBER (A)

N. Jais
3/9/93