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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD

O.A.NO. 1120/92

Date of Order: 12-9-95.

Between:

Donald Charles.

... Applicant

and

1. The Sr. Divisional Mechanical Engineer, (Diesel), S.E.Rly, Visakhapatnam-4.
2. The Addl. Divisional Railway Manager, S.E.Rly, Visakhapatnam-4.
3. The Divisional Railway Manager, S.E.Rly, Visakhapatnam-4.
4. The Chairman, Railway Board, Union of India, Railbhavan, New Delhi-1.

Respondents.

For the Applicant :- Mr. C. Suryanarayana, Advocate

For the Respondents: Mr. C. Venkatamalla Reddy, SC for Rlys.

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CORAM:

THE HON'BLE MR. JUSTICE V. NEELADRI RAO : VICE-CHAIRMAN

THE HON'BLE MR. A. B. GORTHI : MEMBER(ADMN)

To

1. The Sr.Divisional Mechanical Engineer(Diesel),
S.E.Rly, Visakhapatnam.
2. The Addl.Divisional Railway Manager,
S.E.Rly, Visakhapatnam-4.
3. The Divisional Railway Manager,
S.E.Rly. Visakhapatnam-4.
4. The Chairman, Railway Board,
Union of India, Railbhavan, New Delhi-1.
5. One copy to Mr.C.Suryanarayana, Advocate, CAT.Hyd.
6. One copy to Mr.C.Venkata malla Reddy, SC for Rlys. CAT.Hyd.
7. One copy to Library, CAT.Hyd.
8. One spare copy.

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O.A.No.1120/1992

Dt. of decision: 12-9-1995.

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Judgement

(As per the Hon'ble Mr.Justice V.N.Rao, Vice Chairman)

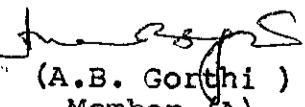
On the basis of the complaint dt.23-10-89 of Sri P.S.Khasibatla, the then Relieving Station Superintendent, S.E.Railway, Bobbili (vide Annexure A-1), charge memo dt.19-2-90 (vide annexure A-2) was issued to the applicant. The Disciplinary Authority passed order dt.7/13-8-90 (annexure A-4) imposing penalty of withholding of increment of the applicant raising his pay from Rs.2100 to Rs.2150 in scale of Rs.1600-2660 with withheld for one year without cumulative effect. Thereupon, the applicant submitted letter dt.20.8.90 (A-5) addressed to R-1 treating the same as appeal to R-2. R-2 passed order dt.14-11-90 confirming the order of R-1.

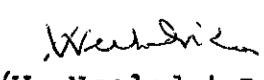
2. It is stated for the applicant that he preferred revision dt.28-5-91 before R-3. It is stated in the reply statement that the said revision is barred by limitation, But it is not asserted that R-3 rejected it on the ground that it is barred by limitation. Anyhow, when the revision petition was filed within one year from the order of the appellate authority, the question of bar of limitation does not arise.

3. In the circumstances, R-3 is required to dispose the revision petition dt.28-5-91 vide Annexure-7 expeditiously and preferably by 31.12.95.

(The applicant is permitted to submit copy of exhibit A-7 along with a copy of this order to R-3 by registered post Ack. Due to facilitate early disposal of the revision.)

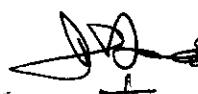
4. The O.A. is ordered accordingly. No costs.//


(A.B. Gorthi)
Member (A)


(V. Neeladri Rao)
Vice Chairman

(Open Court dictation)

kmv


Deputy Registrar

C.C. by 19 lakhs
13/9/95.

TYPED BY

CHECKED BY

COMPARED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD.

THE HON'BLE MR.JUSTICE V.NEELADRI
VICE-CHAIRMAN

and

THE HON'BLE MR.A B Gurukh
RANGARAJAN : M(ADMN)

DATED:- 12/9/1995.

ORDER/JUDGMENT.

M.A./R.A/C.A.No.

in

O.A.No. 1120/92

P.A.No.

(W.P.)

Admitted and Interim Directions
Issued.

Allowed

Disposed of with directions.

Dismissed.

Dismissed as withdrawn

Dismissed for default

Ordered/Rejected.

NO order as to costs.

No Spoke Copy

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