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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

O.A.No.1038 OF 1996.

DATE OF ORDER:22-9-1998.

Between:

D.Parameshwar Rao. .. Applicant

and

1. Union of India, rep., by General Manager, S.E.Railway, Garden Reach, Calcutta-43.
2. Divisional Railway Manager, S.E.Railway, Visakhapatnam.
3. Senior Divisional Signal, Telecom Engineer, S.E.Railway, Visakhapatnam.
4. Divisional Signal & Telecom Engineer, S.E.Railway, Visakhapatnam.

.. Respondents

COUNSEL FOR THE APPLICANT :: Mr.P.B.Vijay Kumar

COUNSEL FOR THE RESPONDENTS: Mr.V.Bhimanna

CORAM:

THE HON'BLE SRI R.RANGARAJAN, MEMBER (ADMN)

AND

THE HON'BLE SRI B.S.JAI PARAMESHWAR, MEMBER (JUDL)

: ORDER :

ORAL ORDER (AS PER HON'BLE SRI R.RANGARAJAN, MEMBER (A))

Heard Mr.P.B.Vijay Kumar for the Applicant and Mr.V.Bhimanna for the Respondents.

2. The applicant while working as TCI-II/BHJA had been issued with a minor penalty Charge Sheet, vide Memorandum No.WSG/65/DP/2, dated:1/8-3-1995 (Annexure.A-I to the OA) for indiscipline and misbehaviour. The applicant has submitted his defence statement on 23-3-95 (Annexure.A-II to the OA).

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3. The Disciplinary Authority disposed of the Charge Sheet by the following Order:-

"The annual increment raising his pay from Rs.2250/- to Rs.2300/- with effect from 1-1-1996 is withheld for a period of two years with non-cumulative effect."

Against that the applicant ^{had} filed an Appeal to the Respondent No.3 by his appeal dated:7-6-1995. That appeal was rejected and the penalty was confirmed by the impugned Order dated:22-6-1995. It is stated that the applicant had filed ^a Revision Petition dated:29-3-1996 (Annexure.R-IV to the reply). That Revision Petition is still pending.

4. This DA is filed to set aside the punishment imposed by the Disciplinary and Appellate Authority by holding ^{them} as arbitrary and illegal.

5. When the DA was taken up for hearing, the learned Counsel for the Applicant submitted that, his revision petition dated:29-3-1996 is still pending and the applicant has not been replied so far. It is but proper at this juncture to direct Respondent No.2 to dispose of his Revision Petition dated:29-3-1996 in accordance with Law within a period of three months from the date of receipt of a copy of this Order. If the applicant requests for a personal hearing, the same may be given to him.

6. With the above direction, the DA is disposed of. No costs.

B.S.JAI PARAMESHWAR
(B.S.JAI PARAMESHWAR)
MEMBER(JUDL)
22/9/98

R.RANGARAJAN
(R.RANGARAJAN)
MEMBER(ADMN)

Dated: this the 22nd day of September, 1998
Dictated to steno in the Open Court

DSN

DR
DR SUPP

.3.6

Copy to:

1. The General Manager, South Eastern Railway, Garden Reach, Calcutta.
2. Divisional Railway Manager, South Eastern Railway, Visakhapatnam.
3. Senior Divisional Signal Telecom Engineer, South Eastern Railway, Visakhapatnam.
4. Divisional Signal & Telecom Engineer, South Eastern Railway, Visakhapatnam.
5. One copy to Mr. P. B. Vijaya Kumar, Advocate, CAT, Hyderabad.
6. One copy to Mr. V. Bhimanna, Addl. GSC, CAT, Hyderabad.
7. One copy to D.R(A), CAT, Hyderabad.
8. One duplicate copy.

YLKR

23/10/98

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II COURT

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH, HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN : M(A)

AND

THE HON'BLE SHRI S.S. JAI PARAMESHWAR:
M(J)

DATED: 22/10/98

ORDER/JUDGMENT

M.A/R.A/C.P.NO.:

in
O.A. NO. 1038/86

ADMITTED AND, INTERIM DIRECTIONS
ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

YLR.

