

29

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No.953/99

Date of Order:  
29.6.99

BETWEEN :

Marsing Machar ..Applicant.

AND

1. Union of India,  
Rep. by General Manager,  
S.C.Railway, Rail Nilayam,  
Secunderabad.
2. Additional General Manager,  
S.C.Railway, Rail Nilayam,  
Secunderabad.
3. Deputy Chief Medical Director,  
S.C.Railway, Lallaguda,  
Secunderabad.
4. Dr.V.K.Ramtek,  
Chief Medical Director,  
S.C.Railway, Lallaguda,  
Secunderabad.

.. Respondents

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Counsel for the Applicant Mr.G.Ramachandra Rao

Counsel for the respondents .. Mr.D.Francis Paul

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CORAM :

HON'BLE SHRI R.RANGARAJAN : MEMBER(ADMIN.)

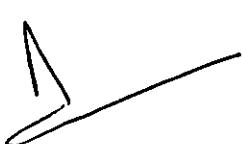
HON'BLE SHRI B.S.JAI PARAMESHWAR : MEMBER (JUDL.)

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O R D E R

(( As per Hon'ble Shri R.Rangarajan, Member(Admin.) ))

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Mr.G.Ramachandra Rao, learned counsel for the applicant and Mr.D.F.Paul, learned standing counsel for the respondents.



..2

2. The applicant was removed from service by order No.MD/CON/35, dated 8.2.99 (A-5) for some discrepancy in the date of birth of the applicant.

3. This OA is filed for setting aside the order dated 8.2.99 and for a consequential direction to R-1 to R-3 to reinstate him into service with all consequential benefits.

4. The applicant submits that he worked under R-4 i.e. Dr.V.K.Ramtek, Chief Medical Director, Lallaguda, Secunderabad and that he was instrumental for his removal. He further submits that he had submitted an appeal addressed to R-2 dated 11.1. However, there is a signature in the first page of the appeal signed by somebody and dated 25.2.99 probably as a token of receipt of that appeal in R-2 office. The learned counsel for the applicant submitted that it was received by a railway official and that railway official has signed and dated as 25.2.99. But the same is disputed by the learned counsel for the respondents.

5. To comply with the principles of natural justice it is preferable that this appeal be disposed of by an officer <sup>equivalent to</sup> <sub>^</sub> rank of Dr.V.K.Ramtek, Chief Medical Director of the medical department in accordance with the law. The applicant should now

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31

handover a fresh copy of the appeal addressed to R-2 to the office of R-4 for compliance of the above order; The applicant should submit that fresh copy of the appeal within a week from the date of receipt of a copy of this order and that appeal should be disposed of within 60 days from the date of receipt of the appeal by R-4 office.

6. With the above direction the OA is disposed of at the admission stage itself. No costs.

  
(B.S.JAI PARAMESHWAR)  
Member (Jud1.)

29.6.99

Dated : 29th June, 1999

Dictated in Open Court

  
(R.RANGARAJAN)  
Member (Admn.)

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