

(12)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

Date of Order : 10.7.2000

OA 392/94 with MA 173/99

Laloo Ram s/o Shri Har Bux aged about 40 years resident of Loco Hasarpura 'A', House No. 137, Jaipur at present employed on the post of Peon (under suspension) in the office of D.C. Pay and Cash department, Western Railway, Jaipur Division, Jaipur.

.... Applicant.

Versus

1. The Union of India through General Manager, Western Railway, Churchgate, Bombay.
2. Chief Cashier (CCG), Western Railway, Churchgate, Bombay.
3. Senior Divisional Accountant Officer, Jaipur, Western Railway, Jaipur Division, Jaipur.
4. Assistant Divisional Accountant Officer (II) Jaipur, Western Railway, Jaipur Division, Jaipur.

.... Respondents

Mr. J.K. Kaushik, Counsel for the applicant.

Mr. Manish Bhandari, Counsel for the respondents.

CORAM

Hon'ble Mr. S.K. Agarwal, Member (Judicial)  
Hon'ble Mr. S. Bapu, Member (Administrative)

ORDER

(PER HON'BLE MR. S.K. AGARWAL, MEMBER (JUDICIAL))

In this Original Application u/s 19 of the Administrative Tribunals Act, applicant makes a prayer to quash the impugned charge-sheet dated 19.7.94 at Annexure A-1 and all subsequent proceedings thereon.

  
2. On perusal, it appears that charge-sheet issued to the applicant vide Order No. JP/Adm/E-308/LR/96 dated 19.7.94 against the departmental proceedings were initiated and after completing departmental proceedings, punishment to withhold

(13)

of three increments with future effect was imposed upon the applicant.

3. It is stated by the learned counsel for the applicant that applicant has filed an MA to stay the order of imposing penalty against the applicant vide order dated 17.5.99 and he has not filed any appeal against the said order. He seeks direction to file an appeal against the said order.

4. In view of disposal of disciplinary proceedings against the applicant, this Original Application 392/94 has become infructuous.

5. We, therefore, dismiss this Original Application as having become infructuous and respondents are directed to entertain the appeal of the applicant, if he files the same within twenty five days from the date of passing of this order. If the appeal is filed within so specified period, it shall be decided ~~by~~ on merits. Limitation will not be a bar for entertaining this appeal.

6. With the above direction, this Original Application is disposed with no order as to costs.

7. In view of the order passed in this Original Application, MA 173/99 has become infructuous and thus disposed of accordingly.

  
(S. BAPU)  
MEMBER (A)

  
(S.K. AGARWAL)  
MEMBER (J)