

**CENTRAL ADMINISTRATIVE TRIBUNAL  
JAIPUR BENCH, JAIPUR**

**ORDER SHEET**

**ORDERS OF THE TRIBUNAL**

31.03.2015

OA No. 291/00186/2015 with MA 291/00105/2015

Mr. Ashwini Jaiman, Counsel for applicant.

The Revising Authority vide order dated 28.11.2007 (Annexure A/1) reduced the period of reduction from five years to one year but loss of seniority has not been set aside. The relief claimed by the applicant in this OA is set to aside the order dated 28.11.2008 (Annexure A/1), 10.10.2007 (Annexure A/6) and 30.01.2008 (Annexure A/7) with further direction to allow the applicant to continue on the post of Station Master and further the period from 10.10.2007 to 30.01.2008 be treated as period spent on duty for all purposes.

The facts of the OA are that the applicant had misbehaved with Shri Sunil Kumar Bundel and gave serious beating to him and used abusive language and tried to make hindrance in the official work of railways. The Disciplinary Authority after inquiry passed an order dated 10.10.2007 (Annexure A/6) removing the applicant from service. In the appeal preferred by the applicant, the quantum of punishment was modified. The Appellate Authority vide order dated 30.01.2008 (Annexure A/7) set aside the order of removal and the applicant was fixed in minimum of pay scale of Station

Master for a period of five year with loss of seniority and after reversion, the period from the date of termination till the reinstatement was directed to be treated as dies non.

We have examined the question arises in the OA. With reference to the material on record and after hearing the learned counsel for the applicant, we find that the impugned order is of the years 2007 and 2008. From the order, it is seen that the applicant has long back accepted the final order and it has attained finality. We find that there is no justification for the applicant in approaching this Court after a period of six and a half years. No sufficient cause has been shown either in the MA or in the OA for challenging the order at this distance of time. These orders should have been challenged at the appropriate time. We find no ground to entertain the MA and the OA.

Accordingly the MA for condonation of delay as well as OA are dismissed at admission stage.

The Registry is directed to send a copy of this order to the official respondents.

*Anil Kumar*  
(Anil Kumar)  
Member (A)

*Justice Harun-Ui-Rashid*  
Member (J)

*Abdul*