

CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH.

OA No.496/2003 with MA No.442/2003.

Jaipur, this the 19th Day of January 2005.

CORAM : Hon'ble Mr. M. L. Chauhan, Member (J).  
Hon'ble Mr. A. K. Bhandari, Member (A).

Kishan Lal 'B'  
S/o Shri Balu Ram,  
aged about 55 years,  
R/o near Balaji mandir  
in front of Nathu Lal Ki Bari,  
Goverdhanpura, Kota.

... Applicant.

By Advocate : Shri C. B. Sharma.

Vs.

1. Union of India  
through General Manager,  
West Central Railway,  
Jabalpur.
2. Additional Divisional Railway Manager,  
Western Railway,  
now West Central Railway,  
Kota Division, Kota.
3. Senior Divisional Electrical Engineer (TRO)  
Western Railway,  
now West Central Railway,  
Kota Division, Kota.
4. Chief Operating Manager,  
Office of General Manager,  
Western Railway,  
Church Gate,  
Mumbai.

... Respondents.

By Advocate : Shri Dinesh Sharma proxy for  
Shri S. P. Sharma.

: O R D E R :  
By M. L. Chauhan, Judicial Member.

The applicant has filed this OA thereby praying  
for the following reliefs :-

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"i) that entire record relating to the case be called for and after perusing the same memo dated 13/3/2001 (Annex.A/1) with the punishment order dated 14/7/2000 be quashed and set aside with all consequential benefits.

ii) That the charge memo dt.12/2/1999 (Annex.A/3) be quashed with the enquiry proceedings, as the same is not justified being ex-party and no opportunity has been extended with all consequential benefits.

iii) That the respondents be further directed to reinstate the applicant in service with all consequential benefits.

iv) Any other order/directions of relief may be granted in favour of the applicant which may be deemed just and proper under the facts and circumstances of this case.

v) That the costs of this application may be awarded."

2. Briefly stated, the applicant while working on the post of Assistant Driver was served with a charge sheet which culminated into the passing of punishment order by the Disciplinary Authority. Against the order of Disciplinary Authority the applicant filed an appeal before the Appellate Authority. The Appellate Authority also confirmed the decision of the Disciplinary Authority. Thereafter the applicant filed Revision Petition Annexure A/4 to the Revisional Authority, Chief Operating Manager, Church Gate.

3. In the reply, the respondents have stated that the Revision Petition filed by the applicant on 30.04.2001 is still pending before the Revisional Authority i.e. Chief Operating Manager, and on account of some querries being asked by the Head Office in regard to Revision Petition, the same is

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still under consideration. In view of this categorical submission made by the respondents in the reply, we are of the view that ends of justice will be met if the direction is given to the Revisional Authority at this stage to dispose of the statutory revision petition filed by the applicant on 30.04.2001.

4. Accordingly, Respondent No.4 or the Competent Authority may dispose of the Revision Petition filed by the applicant on 30.04.2001 within a period of two months from the date of receipt of copy of this order. Without going into the merit of the case, the OA shall stands disposed of with the above observations.

5. In view of the order passed in the OA, no order is required to be passed in MA No.442/2003 filed for condonation of delay.



(A. K. BHANDARI)

MEMBER (A)



(M. L. CHAUHAN)

MEMBER (J)