

**CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR**  
**BENCH, JABALPUR**

**Original Application No. 199 of 2006**

**Jabalpur, this the 10<sup>th</sup> day of April, 2006**

**Hon'ble Shri Justice M.A. Khan, Vice Chairman**

Dwarka Prasad, S/o. Nanhelal T.C.M.-1  
(Tele) Officer or the Senior Divisional  
Engineer (Telephone) Division Piperiya,  
R/o. Ciuramkhed, Tah. Sohagur,  
District Hosangabad, M.P.

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**Applicant**

(By Advocate – Shri Narendra Sharma)

**V e r s u s**

1. Union of India, through the Secretary,  
Railway Department, New Delhi.
2. Divisional Railway Manager, Jabalpur  
District, Jabalpur, M.P.
3. Divisional Signal and Telephone  
Engineer, Railway, Jabalpur M.P.

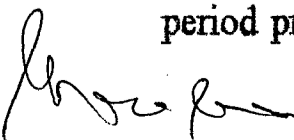
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**Respondents**

**ORDER (Oral)**

The applicant is aggrieved by the order of the disciplinary authority dated 13.12.2005 (Annexure A-5), whereby he has been imposed the penalty of reduction in the grade from Rs. 4500-7000/- to the grade of Rs. 3050-4590/-, fixing his pay at the minimum of the said pay scale i.e. 3050/- for three years with cumulative effect. The applicant has submitted an appeal dated 23<sup>rd</sup> February, 2006 (Annexure A-6) which has not been decided.

2. The applicant has filed this OA before expiry of six months of filing of the appeal. The learned counsel for the applicant has submitted that the pay of the applicant has been substantially reduced, therefore, the applicant had to approach this Tribunal before the period prescribed in Section 20 of the Administrative Tribunals Act,



1985, expired. However, he has submitted that he has instructions from the applicant to say that the present OA may be disposed with directions to the respondents to consider the appeal of the applicant and decide it at an earlier date.

3. In these circumstances, I am inclined to accede to the request. As it would not cause any prejudice to the respondents so I need not call upon them to file the counter reply by issuing a formal notice.

4. Accordingly, the present OA is disposed of with direction to the appellate authority i.e. respondent No. 3 Divisional Signal and Telephone Engineer Railway, Jabalpur to consider the appeal of the applicant dated 23<sup>rd</sup> February, 2006 copy of which is Annexure A-6 and decide it within a period of one month from the date of receipt of copy of this order and the copy of memorandum of appeal, by him. The learned counsel for the applicant has undertaken to serve a copy of the appeal and the copy of this order on respondent No. 3 within one week.

5. The OA is disposed of in terms of above order. It will be open to the applicant to approach the Tribunal in accordance with law afresh in case if his grievance survived after exhausting the remedy provided in service rules.

(M.A. Khan)  
Vice Chairman

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पृष्ठंकन सं ओ/न्या.....जबलपुर, दि.....

परिमिति अद्योषित:-

(1) सचिव न्यायालय तार एसोसिएशन, जबलपुर

(2) आदेश/प्रति/कु.....के काउंसल

(3) प्रत्यक्षी/प्रति/कु.....के काउंसल

(4) वंशपाल, को.प्र.अ., जबलपुर न्यायाधीश

सूचना एवं आवश्यक कार्यवाही हेतु

उप सचिव

Shri Narendra Sharma  
J.C. JBP

13.4.06

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