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

**Original Application No. 505 of 2006**

**Jabalpur, this the 25<sup>th</sup> day of July, 2006**

**Hon'ble Dr. G.C. Srivastava, Vice Chairman**  
**Hon'ble Shri A.K. Gaur, Judicial Member**

T. Appa Rao, S/o. Shri T. Ramulu,  
Aged about 45 years, Employed as  
Pipe Line Khalasi, Under IOW/SEC Rly.  
Balod, Posted at : Dallirajhara,  
Residing at : 110/B Railway Colony,  
Dallirajhara, District : Durg (CG). .....

**Applicant**

(By Advocate – Shri B.P. Rao)

**V E R S U S**

1. Union of India, through  
The General Manager,  
South East Central Railway,  
Bilaspur Zone, G.M. Office,  
Bilaspur (CG).
2. The Sr. Divisional Engineer (West),  
South East Central Railway,  
Raipur Division, Sr. DEN-Office,  
Raipur – 492001 (CG).
3. The Assistant Divisional Engineer-II,  
South East Central Railway,  
Bhilai – District Durg (CG). .....

**Respondents**

**O R D E R (Oral)**

**By Dr. G.C. Srivastava, Vice Chairman –**

Heard Shri B.P. Rao, learned counsel for the applicant and Shri M.N. Banerjee, Standing Counsel for the Railways appearing for the respondents.

2. This application has been filed seeking the following relief:  
“8.1 That, the Hon'ble Tribunal be pleased to pass a direction to the respondent No. 3 Assistant Divisional Engineer-II, SEC,



Railway, Bhilai, not to pass any final order on the enquiry report of the enquiry officer, which was conducted against the applicant on the major penalty charge sheet No. E/3/T.Appa Rao/BXA dated 3.8.2004, till the final orders passed in the pending Writ Petition No. 2171/2004 and 1767/2005 by the Hon'ble High Court of Chhattisgarh at Bilaspur.

8.2 That, the Hon'ble Tribunal be pleased to pass any other order or orders as deemed fit and proper in the interests of justice, such as cost of the application etc."

3. It is clear from the above that the Hon'ble High Court of Chhattisgarh is ~~ceased~~ <sup>seized</sup> with the matter in Writ Petitions Nos. 2171/2004 and 1767/2005. The applicant <sup>has</sup> ~~prayed~~ <sup>in</sup> that directions be issued to the respondents not to pass any final order in the disciplinary proceedings undertaken against him until the aforesaid Writ Petitions are disposed of. Since, this matter is already subjudice in the Hon'ble High Court of Chhattisgarh in the aforesaid Writ Petitions, it will not be appropriate on the part of this Tribunal to issue such directions in this regard. ~~Accordingly~~ <sup>Accordingly</sup> The petition is misconceived and is accordingly, dismissed.

(A.K. Gaur)  
Judicial Member

(Dr. G.C. Srivastava)  
Vice Chairman

"SA"

पूरांकन में ओ/न्या..... जवत्पूर, दि.....

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(1) ..... जवत्पूर

(2) ..... के जवत्पूर

(3) ..... के जवत्पूर

(4) ..... के जवत्पूर

सूचना एवं आदेशों के निर्वाह हेतु

..... उप निरीक्षक

B.P. Rao  
M.P. Bhatia  
DR

Issued  
28/7/06