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CENTRAL ADMINISTRATIVE TRIBUNAL,  
JABALPUR BENCH  
JABALPUR

Original Application No. 577 of 2006

Jabalpur, this the 28<sup>th</sup> day of August, 2006

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

Narayan Prasad Dubey,  
S/o. Late K.D. Dubey,  
Aged about 37 years,  
R/o. 225, Indira Ward,  
Narsinghpur.

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Applicant

(By Advocate – Shri S.K. Nandi on behalf of Shri S. Paul)

V E R S U S

1. Union of India,  
Ministry of Railway,  
Through General Manager,  
West Central Railway,  
Indira Market, Jabalpur.
2. Divisional Railway Manager,  
West Central Railway,  
Jabalpur Division,  
Jabalpur.
3. Senior Divisional Operating Manager,  
O/o. Divisional Railway Manager (P),  
West Central Railway, Jabalpur.
4. Divisional Operating Manager,  
O/o. Divisional Railway Manager (P),  
West Central Railway,  
Jabalpur.
5. Divisional Personnel Officer,  
O/o. Divisional Railway Manager (P),  
West Central Railway,  
Jabalpur.

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Respondents

(By Advocate – Shri M.N. Banerjee)

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O R D E R (Oral)

By A.K. Gaur, Judicial Member -

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

2. The applicant being aggrieved by the order of punishment dated 10.11.2004 passed by the Divisional Operating Manager, West Central Railway, Jabalpur had filed an appeal to the Sr. Divisional Operating Manager, West Central Railway, Jabalpur on 1.1.2005. Thereafter he sent a reminder on 16.6.2006. According to the applicant the appeal preferred by him has not yet been decided by the competent authority. Therefore, he has requested to give directions to the competent authority to consider and decide the statutory appeal filed by the applicant. The applicant has also filed a delay condonation application supported by an affidavit.

3. After considering the request of the applicant we find that the cause shown in the delay condonation application is sufficient and the delay is accordingly condoned.

4. Regarding the request of the applicant, we hereby direct the respondent No. 3 to consider and decide the appeal of the applicant dated 1.1.2005 (Annexure A-6) and the reminder dated 16.6.2006 (Annexure A-7) by a reasoned and speaking order within a period of three months from the date of receipt of a copy of this order. Be it noted that we have not expressed any opinion on the merits of the case.

5. With the aforesaid observations, the Original Application is disposed of at the admission stage itself.

*A. K. Gaur*  
(A.K. Gaur)  
Judicial Member  
"SA"

*G. C. Srivastava*  
(Dr. G.C. Srivastava)  
Vice Chairman