

Central Administrative Tribunal  
Jabalpur Bench

Circuit sitting at Bilaspur.

Bilaspur this the 3rd day of November 2006.

No. 774/06

CORAM

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

Amitava Gangopadhyay  
S/o late Kedar Nath Gangopadhyay  
Sr.Pasenger Guard  
S.E.Central Railways  
139/6 Loco Colony Raipur.

Applicant

(By advocate Shri Sudeep Johri )

Versus

1. Union of India  
Ministry of Railways  
through Secretary  
Rail Bhawan, New Delhi.

2.The General Manager  
South East Central Railway  
Bilaspur.

3.The Sr.Divisional Operations Manager  
DRM Complex W.R.S.Colony Raipur.

4.Chief Station Manager  
Durg Railway Station  
Durg.

5. Additional Divisional  
Railway Manager  
DRM Complex, W.R.S.Colony  
Raipur.

Respondents.

(By advocate Shri M.N.Banerjee)

O R D E R (oral)

By A.K.Gaur, Judicial Member

Against the order of punishment dated 10.1.06, the applicant preferred a an appeal which has been considered and decided by the appellate authority vide order dated 30.3.06 (A-10). We have carefully gone through the order and heard the learned counsel for the parties. We are of

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the considered opinion that the order passed by the appellate authority is non-speaking. The appellate authority has passed the order in a most perfunctory manner without application of mind.

Shri M.N.Banerjee appearing on behalf of the respondents has stated that there is another remedy of revision before the applicant. We are not satisfied with this objection.

We accordingly set aside the order of the appellate authority and remit the matter to the appellate authority for consideration of the case afresh in accordance with Rule 22 of the Railway Servants (Discipline & Appeal) Rules in view of the decision rendered in Ram Chander Vs. UOI by the Hon'ble Supreme Court. OA is allowed to this extent.

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

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

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पृष्ठांकन सं. ओ/न्या.....जल्लपुर, दि.....  
घटिरियि अप्रैल १९८६

(1) रामेश, रामेश रामेश रामेश, जल्लपुर  
(2) अंबेकर, अंबेकर, अंबेकर, को काउसल  
(3) अवर्यार्थी, अवर्यार्थी, अवर्यार्थी, को काउसल  
(4) वारामान, वारामान, वारामान, को काउसल

*Seidesh Johari*  
Adv. K. P. Joshi  
C. Venkateswaran  
Chandrik B. Iyer  
M. N. Banerjee  
Adv. D. S.

ISSUED  
on 13/11/06  
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