

Central Administrative Tribunal
Jabalpur Bench

Circuit sitting at Bilaspur.

Bilaspur this the 3rd day of November 2006.

JA 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. Passenger 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)

ORDER (oral)

By A.K. Gaur, Judicial Member

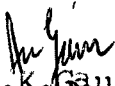
Against the order of punishment dated 10.1.06, the applicant preferred an appeal which has been considered and decided by the appellate authority vide order dated 30.3.06 (A-10). We have carefully gone through the order and heard the learned counsel for the parties. We are of

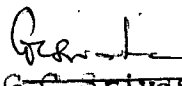
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the considered opinion that the order passed by the appellate authority is non-speaking. The appellate authority has passed the order in a most perfunctory manner without application of mind.

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 rem~~at~~ 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 ^Pto this extentth

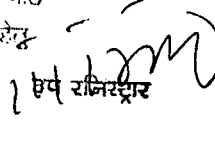

(A.K.Gaur)
Judicial Member


(Dr.G.C.Srivastava)
Vice Chairman

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पृष्ठांकन सं ओ/न्या.....जदलपुर, दि.....
पसिदिधि अन्धे भित:-

- (1) सविन, राजा गुरुदास दत्त हर्षद्विराज, जदलपुर
 - (2) आनंदराज/विनोद/.....के काउंसल
 - (3) प्रत्यक्षी/विनोद/.....के काउंसल
 - (4) बंशधर, जेमा, जदलपुर, जदलपुर
- सूचना एवं आवेदन कार्यवाही हेतु


Sudeep Johari
Adv. P-1 President
Colonel Acharya Nagar
Chawke Bilaspur
M.N. Banerjee
Adv. JBS

Issued
on 13/11/06
