

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR
BENCH, JABALPUR

Original Application No. 154 of 2005

Jabalpur, this the 27th day of April, 2006

Hon'ble Dr. G.C. Srivastava, Vice Chairman
Hon'ble Mrs. Meera Chhibber, Judicial Member

Abdul Hasim Khan, aged 34 years,
Son of Shri A.Q. Khan, presently
posted as Train Ticket Examiner,
Katni, resident of 160, Chaubey Ward,
Katni (MP).

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Applicant

(By Advocate – Shri Anshuman Singh on behalf of Shri S. Nagu)

V e r s u s

1. Union of India,
Through the Secretary,
Ministry of Railways,
Rail Bhawan, New Delhi.
2. Divisional Commercial Manager,
Jabalpur Division,
West Central Railway, Jabalpur (MP),
(Appellate Authority).
3. Assistant Commercial Manager,
Jabalpur Divisional, West Central
Railway, Jabalpur (MP),
(Disciplinary Authority)

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Respondents

(By Advocate – Shri H.B. Shrivastava)

O R D E R (Oral)

By Dr. G.C. Srivastava, Vice Chairman -

The learned counsel for the respondents has submitted that there has been delay in deciding the appeal of the applicant as the original disciplinary authority himself has been promoted in the rank of the appellate authority and the appeal is to be decided by the next higher authority.



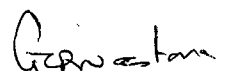
2. Since there is no other post equivalent to the appellate authority, hence, the appeal petition has now been referred to the next higher authority for its disposal and since now the matter is under consideration of this Tribunal the decision of the appeal cannot be taken by the competent authority.

3. In view of the fact that the appeal ^{has} ~~is already~~ been pending since long, we feel that ends of justice would be met by issuing directions to the competent authority to decide the appeal within a period of three months and communicate the decision to the applicant immediately thereafter. We order accordingly. We further order that if the appeal is not decided within the time limit the applicant will be at liberty to revive this application.

4. With these directions the OA is disposed of.



(Mrs. Meera Chhibber)
Judicial Member



(Dr. G.C. Srivastava)
Vice Chairman

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पूरांकन सं ओ/न्या.....जबलपुर, दि.....

प्रतिलिपि जावे जित:-

- (1) सचिव, उच्च न्यायालय एवं एडमिनिस्ट्रेशन, जबलपुर
- (2) आवेदक श्री/श्रीमती/शु.....के कारगसल S. N 994 A/V 238
- (3) प्रत्यक्षी श्री/श्रीमती/शु.....के कारगसल H. B Shrivastava
- (4) कार्यपाल, को.प्र.अ., जबलपुर न्यायापीठ
सूचना एवं आवश्यक कार्यकारी हेतु

उप सचिव

Filed
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