

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH,
JABALPUR

Original Application No. 400 of 2005

Jabalpur, this the 4th day of May, 2005

Hon'ble Shri Madan Mohan, Judicial Member

D.K. Shrivastava, S/o. Shri Shyam Mohan Lal
Shrivastava, Aged about 58 years, R/o. Lal Bhawan,
55, Dwaraka Nagar, Lal Mati, Jabalpur. Applicant

(By Advocate – Shri James Antony)

V e r s u s

1. Union of India, through its General Manager,
West Central Railway, Jabalpur.
2. Chief Commercial Manager,
West Central Railway, Jabalpur.
3. Divisional Railway Manager,
West Central Railway, Jabalpur.
4. Additional Divisional Railway Manager,
West Central Railway, Jabalpur. Respondents

(By Advocate – Shri M.N. Banerjee, Standing counsel for the Railways)

O R D E R (Oral)

By Madan Mohan, Judicial Member –

By filing this Original Application the applicant has claimed the following main reliefs :

“7.2 set aside the order dtd. 27.03.2001 and charge sheet dtd. 16.3.1995 and order dtd. 31.3.2004 passed by the appellate authority,

7.3 direct the respondents to reinstate the applicant with full back wages and all consequential benefits as if no disciplinary proceedings were initiated against him.”

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2. The brief facts of the case are that the applicant at the relevant period was working as Head Goods Clerk at Sihora. On the basis of a charge sheet he was punished by the disciplinary authority vide order dated 9/27.3.2001 (Annexure A-2). He filed appeal against it which was dismissed vide order dated 31st March, 2004 (Annexure A-1). He has also filed a revision petition which is pending for consideration before the revisional authority. Hence, this Original Application is filed.

3. Heard the learned counsel for the applicant as well as Shri M.N. Banerjee, Standing counsel for the Railways.

4. The learned counsel for the applicant has requested and consented that the revisional authority be directed to decide the revision petition pending against the order passed by the appellate authority. The learned counsel for the respondents has argued that legally the revision petition should have been decided first before filing of this Original Application. Hence, he agreed to the aforesaid argument advanced on behalf of the applicant.

5. Without going into the merits of the case, I feel that it would be appropriate to direct the revisional authority to decide the revision petition of the applicant dated 17th May, 2004 (Annexure A-5) if not already decided, by passing a speaking, detailed and reasoned order within a period of two months from the date of receipt of a copy of this order. I do so accordingly.

6. Accordingly, the Original Application stands disposed of at the admission stage itself.



(Madan Mohan)
Judicial Member