

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH,
JABALPUR

Original Application No. 987 of 2005

Jabalpur, this the 24th day of October, 2005

Hon'ble Shri M.P. Singh, Vice Chairman
Hon'ble Shri Madan Mohan, Judicial Member

Mohd. Sharif Khan, S/o. Sheikh Saukat Khan,
Ex-Station Porter, Railway Station, Majhiyari,
under the Divisional Railway Manager, West
Central Railway, Jabalpur. Applicant

(By Advocate – Shri L.N. Namdeo)

V e r s u s

1. The Union of India, through the
General Manager, West Central Railway,
Jabalpur.
2. The Divisional Operating Manager,
West Central Railway, Jabalpur.
3. The Assistant Operating Superintendent,
(Goods), West Central Railway,
Jabalpur. Respondents

O R D E R (Oral)

By M.P. Singh, Vice Chairman -

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

“(i)to quash the enquiry report dated 8.2.2005 (Annexure A-9) and the order dated 2.3.2005 (Annexure A-11) passed by the respondent No. 3 and may further be pleased to order that the applicant is entitled to be reinstated in service with all consequential benefits.”


2. The brief facts of the case are that the applicant was working as a Station Porter in the respondents Department. While working as such, disciplinary enquiry proceedings were initiated against him and vide order

dated 2nd March, 2005 (Annexure A-11) the applicant has been dismissed from service. He has filed an appeal against the order of the disciplinary authority dated 11th March, 2005 (Annexure A-12) and till now the appellate authority has not considered and disposed of the appeal of the applicant, even though six months have already over.

3. In the facts and circumstances of the case, we deem it appropriate to direct the respondent No. 2 to consider and decide the appeal of the applicant dated 11th March, 2005 (Annexure A-12) 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. We do so accordingly. It is made clear that the respondent No. 2 while considering and deciding the appeal of the applicant will not take the plea of limitation and will decide the appeal on merits. The learned counsel for the applicant is directed to send a copy of this order alongwith the copy of the petition to the respondent No. 2 immediately.

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


(Madan Mohan)
Judicial Member


(M.P. Singh)
Vice Chairman

“SA” पृष्ठांकन सं ओ/व्या.....जबलपुर, दि.....
 पदि:.....

- (1) सचिव, उच्च न्यायालय का कार्यालय, जबलपुर
- (2) आदेश सं/.....के कार्यालय
- (3) प्रत्यर्था श्री/श्रीमती/.....के कार्यालय
- (4) न्यायालय, उच्च न्यायालय, जबलपुर का न्यायाधीश

सूचना एवं आवश्यक कार्यवाही हेतु
 उप निरीक्षक

L. K. Khanna 22/03
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