

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 440 of 2004

Jabalpur, this the 16th day of July, 2004

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

Kandhedi, S/o. Fagu, resident
of Adegaoon, Tehsil Gadarwara,
Distt. Narsinghpur (MP). ... Applicant

(By Advocate - Ms. Jaya Laxmi Aiyer)

V e r s u s

1. Union of India, through
General Manager, Central Railway,
Mumbai V.T.
2. Divisional Railway Manager,
West Central Railway, Jabalpur.
3. Mandal Engineer, (South),
West Central Railway, Jabalpur.
4. Asstt. Engineer, (East),
Central Railway, Katni (M.P.). ... 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 reliefs :

"(i) to quash the order of punishment communicated
to the applicant vide letter dated. 22.2.01
Annexure A

ii) The respondents be directed to reinstate
the applicant in service with immediate effect.

iii) To direct the respondents to pay Fifty
percent of back-wages to the applicant as the
applicant was not employed gainfully anywhere".

2. The brief facts of the case are that the applicant
working
was/as Gangman in the respondents Railways. He was
posted at Unit No.18, Maihar. While working as such
the applicant was issued a charge sheet dated 3.2.99.
After conclusion of the enquiry, the disciplinary
authority has imposed the penalty of removal from service
on the applicant vide order dated 5.9.2000. He has filed
an appeal to the appellate authority and the appellate

:: 2 ::

authority has modified the order of removal from service to compulsory retirement from service on the applicant vide order dated 22.2.01. Thereafter, he has filed a mercy appeal dated 26.2.01 which is still pending with the respondents. In the Railways, there is a provision for filing a revision petition.

3. In the circumstances, we deem it appropriate to direct the applicant to file a revision petition within 4 weeks from the date of receipt of copy of this order. If the applicant complies with the order, the respondents are directed to consider the revision petition filed by the applicant by passing a detailed, reasoned and speaking order within a period of 3 months from the date of receipt of copy of this order. The applicant is also directed to send a copy of this order as well as the petition to the respondents within 4 weeks from the date of receipt of copy of this order. Accordingly, the OA stands disposed of at the admission stage itself.

(Madan Mohan)
Judicial Member

(M.P. Singh)
Vice Chairman

पृष्ठान्त सं ओ/न्या.....जबलपुर, दि.....

प्रतिलिपि अर्पित:-

- (1) सचिव, उच्च न्यायालय एवं एसोसिएशन, जबलपुर
- (2) आवेदक श्री/श्रीमती/वधु.....के कार्यालय Ms. Jyoti Laxmi Aiyer
- (3) पत्न्या श्री/श्रीमती/वधु.....के कार्यालय
- (4) बंधुपता, रीट/आ, जबलपुर न्यायापीठ
सूचना एवं आवश्यक कार्यवाही हेतु

"SA"

4.8.04

उप रजिस्ट्रार

Issued
On 4-8-04
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