

**CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH.**  
**JABALPUR**

**Original Application No. 951 of 2004**

**Jabalpur, this the 24<sup>th</sup> day of August, 2005**

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

Tulsi Ram Mehra, S/o. Shri Dhan Singh Mehra,  
Aged about 40 years, at present posted at  
Hoshangabad as Senior Booking Clerk in West  
Central Railway, Hoshangabad (MP).

.... Applicant

(By Advocate – None)

**V e r s u s**

1. Union of India, through Secretary,  
Railway Department, Rail Bhawan,  
New Delhi.
2. General Manager, West Central  
Railway, Jabalpur (MP).
3. Divisional Commercial Manager,  
West Central Railway, Habibganj,  
Bhopal (MP).
4. Senior Divisional Commercial Manager,  
West Central Railway, Habibganj,  
Bhopal (MP).
5. Additional Divisional Rail Manager,  
West Central Railway, Habibganj,  
Bhopal (MP).
6. Inquiry Officer/AEO (HQ),  
C/o. Deputy GM (Vigilence), CSTM,  
Central Railway, Mumbai.
7. Commandant RPF, Habibganj,  
Bhopal, West Central Rly.

.... Respondents

(By Advocate – Shri S.P. Sinha)



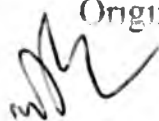
**ORDER (Oral)**

**By M.P. Singh, Vice Chairman –**

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

“(i) that order passed by the respondent No. 3 the disciplinary authority vide Annex. A-5 dt. 11.7.03 imposing the penalty of reduction to a lower stage in same time scale and hence reduced from the stage of Rs. 4200/- to the stage of Rs. 4000/- in the scale of Rs. 4000-6000/- for a period of 3 years from the date of this orders which contemplates further direction that on expiry of the period the reduction will have the effect of postponing future increments, with cumulative effect be kindly be ordered to be quashed.”

2. The brief facts of the case are that the applicant is working as a Booking Clerk with the respondents Railways. He was issued with a charge sheet and an enquiry was conducted against him to investigate into the charges. After holding the enquiry the disciplinary authority imposed the penalty of reduction to a lower stage in same time scale from the stage of Rs. 4200/- to the stage of Rs. 4000/- in the scale of Rs. 4000-6000/- for a period of 3 years with cumulative effect. Thereafter, the applicant preferred an appeal against the order of the disciplinary authority and the appellate authority rejected the appeal of the applicant by passing the order dated 16<sup>th</sup> December, 2003 (Annexure A-7). The applicant has also filed a revision petition before the revisional authority and the same was also rejected by the revisional authority vide order dated 26<sup>th</sup> July, 2004 (Annexure A-9). We find that the orders of the appellate authority and the revisional authority are not under challenge. The applicant has only challenged the order of the disciplinary authority and once the orders of appellate and revisional authorities are passed the order of the disciplinary authority merges in it. Since the applicant has not challenged the orders of the appellate authority and revisional authority, this Original Application is not maintainable and is liable to be dismissed. Accordingly, the Original Application is dismissed as not maintainable. However, the



applicant will be at liberty to approach the Tribunal if he still feels aggrieved and so advised.

(Madan Mohan)  
Judicial Member

(M.P. Singh)  
Vice Chairman

"SA"

प्रमाणन सं ओ/न्या.....जयलपुर, दि.....  
ए/लिखित अर्जो धित

- (1) रजिस्टर, जयलपुर जयलपुर, जयलपुर
- (2) अर्जद्वारा श्री/श्रीमती/शु.....के काउंसल
- (3) प्रत्यर्था श्री/श्रीमती/शु.....के काउंसल
- (4) गंधपाल, लोपाटा, जयलपुर जयलपुर  
सूचना एवं आवश्यक कार्यवाही हेतु

उप रजिस्ट्रार 6-8-05

Filed  
m  
6-8-05