

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH

Jaipur, this the 22nd October, 2008

ORIGINAL APPLICATION NO. 399/2008

CORAM:

HON'BLE MR. M.L. CHAUHAN, JUDICIAL MEMBER
HON'BLE MR. B.L. KHATRI, ADMINISTRATIVE MEMBER

Mukesh Kumar Meena son of Shri Vilas Ram Meena aged about 49 years, working as Station Superintendent, North Western Railway, Resident of Jyoti Nagar, Dhod Road, Near Pani Ki Tanki, Ward No. 10, Sikar.

.....APPLICANT

(By Advocate: Mr. Nand Kishore)

VERSUS

1. Union of India through the General Manager, North Western Railway, Hasanpura Road, Jaipur.
2. The Additional Divisional Railway Manager, North Western Railway, Power House Road, Jaipur.

.....RESPONDENTS

(By Advocate:-----)

ORDER (ORAL)

The applicant has filed this OA thereby praying for the following reliefs: -

- "(i) the respondents may be directed by writ, order or direction to decide the appeal of the applicant within a period of 15 days as sufficient time has already been passed.
- (ii) Any other direction and order which is deemed proper in the facts and circumstances of the case may kindly be allowed to the applicant."

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2. The grievance of the applicant in this case is that he has made an appeal dated 16.12.2007 (Annexure A/1) to the Appellate Authority but the same has not been disposed of by the Appellate Authority even after a lapse of about nine months. It is on the basis of these facts, the applicant has prayed that direction may be given to respondent no. 2 to decide his appeal in terms of Railway Servant (Discipline & Appeal) Rules.

3. We have given due consideration to the submission made by the learned counsel for the applicant. We are of the view that prayer made by the learned counsel for the applicant is required to be accepted. In this case appeal of the applicant is pending before the Appellate Authority for the last nine months. It was expected from the Appellate Authority to decide the appeal expeditiously. Since the appeal of the applicant has not been decided, we are of the view that it will be in the interest of justice if direction is given to the Appellate Authority to decide the appeal of the applicant dated 16.12.2007 (Annexure A/1) by passing a reasoned and speaking order in terms of Rule 22(2) ibid within two months from the date of receipt of a copy of this order.

4. With these observations, the OA is disposed of with no order as to costs.


(B.L. KHATRI)
MEMBER (A)


(M.L. CHAUHAN)
MEMBER (J)

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