

CENTRAL ADMINISTRATIVE TRIBUNAL  
JAIPUR BENCH, JAIPUR

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ORDER SHEET

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ORDERS OF THE TRIBUNAL


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13.2.2008

OA 41/2008

Mr.P.N.Jatti, counsel for applicant.

Heard the learned counsel for the applicant.  
The OA stands disposed of, at admission stage  
itself, by a separate order.

  
(J.P.SHUKLA)  
MEMBER (A)

  
(M.L.CHAUHAN)  
MEMBER (J)

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,  
JAIPUR BENCH, JAIPUR.

*Jaipur, the 13th day of February, 2008*

**ORIGINAL APPLICATION NO.41/2008**

CORAM :

HON'BLE MR.M.L.CHAUHAN, JUDICIAL MEMBER  
HON'BLE MR.J.P.SHUKLA, ADMINISITRATIVE MEMBER

R.P.Meena,  
Divisional Operating Manager (Safety),  
DRM Office,  
Ajmer.

... Applicant

(By Advocate : Shri P.N.Jatti)

Versus

1. Union of India through  
Secretary to the Railway Board,  
Ministry of Railways,  
Rail Bhawan,  
New Delhi.
2. General Manager,  
North Western Railway,  
Jaipur.

... Respondents

(By Advocate : - - - )

**ORDER (ORAL)**

PER HON'BLE MR.M.L.CHAUHAN

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

“That by a suitable writ/order or direction the  
respondents be directed to decide the appeal of  
the applicant within a justified period of 15  
days as instead of one month of the time limit  
the respondents have taken already four months.”

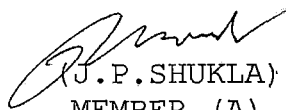
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2. Briefly stated, facts of the case are that disciplinary proceedings were initiated against the applicant under Rule-9 of the Railway Servants (Disciplinary & Appeal) Rules, 1968, which were culminated into passing of the impugned order dated 3.9.2007 (Ann.A/3) by the disciplinary authority, whereby a penalty of reduction of two stages in the time scale for a period of two years with future effect was imposed upon the applicant.

3. The applicant has also filed an appeal, as can be seen from the letter dated 5.10.2007 (Ann.A/1). The said appeal has not been disposed of by the disciplinary authority so far. Learned counsel for the applicant submits that he will be satisfied, at this stage, if a direction is given to the appellate authority to decide his appeal dated 5.10.2007.

4. In view of what has been stated above as also the fact that the present OA is premature as appeal of the applicant has not been decided so far, we are of the view that it will be in the interest of justice if a direction is given to the appellate authority to decide applicant's appeal within a specified period. Accordingly, the appellate authority is directed to decide applicant's appeal dated 5.10.2007, in accordance with law, within a period of 45 days from the date of receipt of a copy of this order.

5. With these observations, the OA shall stand disposed of at admission stage itself. No order as to costs.

  
(J.P. SHUKLA)  
MEMBER (A)

  
(M.L. CHAUHAN)  
MEMBER (J)