

CENTRAL ADMINISTRATIVE TRIBUNAL,

CHANDIGARH BENCH

O.A.No.060/000294/2014

Decided on: 02.04.2014

**CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J) &
HON'BLE MR. UDAY KUMAR VARMA, MEMBER (A)**

Shishu Paul Verma S/o Shri O.P. Verma, Ex-Pharmacist, Diesel Loco Modernization Works, Patiala and R/o H.No. 143, NMS Colony, Patiala.

By: Self

Applicant

Versus

1. Union of India through Chief Administrative Officer (Railway), Diesel Loco Modernization Works, Patiala-147003.
2. Chief Mechanical Engineer, Diesel Loco Modernization Works, Patiala-147003.

By: Mr. Lakhinder Bir Singh, Advocate.

Respondents

O R D E R (ORAL)**HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)**

1. The applicant appearing in person submits that he has already filed a statutory appeal on 21.11.2013 against the penalty order dated 5.10.2013, which has not been decided by the appellate authority within the prescribed period of one month. He further submits that as per Railway Board letter No. E(D&A) 71 RG

6-22 dated 11.6.1971, time limit in para 2 (a) thereof, for disposal of appeal is as under :-

"The appellate authority should give high priority to the disposal of appeals and ensure that no appeal suffers delay in disposal beyond a period of one month from the date of its receipt by the appellate authority".

Para 2 (b) further provides that as under :-

"The said next higher authority should go into the reasons for the delay and take remedial steps, whichever necessary, to have the pending appeals disposed of, as far as possible within the period of one month, even if it is required to relieve the appellate authority of his normal work so as to enable him to dispose of the appeals within one month".

2. The applicant states that despite fixation of time schedule, ~~no~~ decision on his appeal amounts to denial of justice. The applicant submitted a representation to the respondents to expedite decision on his appeal but no decision has been taken therein. He states that he would be satisfied if a time bound direction is given to the appellate authority to decide the pending appeal of the applicant within some reasonable time.

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3. For the order which we propose to pass, there is no need to issue any notice to the respondents and call for their reply at this stage. However, Mr. Lakhinder Bir Singh, Advocate accepts notice on behalf of the respondents and expresses no objection to disposal of the O.A. in the requested manner and states that respondents would be able to take a view within a period of one month.

4. In view of the consensual arrangement reached between the parties, this O.A. is disposed of with a direction to the appellate authority to take a view on the pending appeal of the applicant and take a view within a period of one month from the date of receipt of certified copy of this order, by passing a speaking and reasoned order.

5. It goes without saying that we have not expressed any opinion on the merits of the case. No costs.

Sanjeev Kaushik
(SANJEEV KAUSHIK)
MEMBER (J)

Uday Kumar Varma
(UDAY KUMAR VARMA)
MEMBER (A)

Place: Chandigarh
Dated: 02.04.2014

HC*