



BEFORE THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL,

CALCUTTA BENCH

An Application Under Section 19 of the Administrative Tribunal Act,

1985

O. A. No. 798 of 2017;

BETWEEN

Subhan Kumar Guin, Son of Late
Jitendra Nath Guin, aged about 54
years, working for gain as SSE (MEMU
Shed) ASN, P.F. No. 07694660,
residing at Gopalnagar, P.O- Central
Hospital Kalla, District- West
Burdwan, Pin-713340.

..... Applicant

- V E R S U S -

1. The General Manager, Eastern
Railway, Fairlie Place, Kolkata - 700
001.

2. The Divisional Railway Manager,
Eastern Railway Division, Asansol, Post
Office & Police Station- Asansol, District-
West Burdwan, Pin 713301.

Subhan Kumar Guin

V.H.

3. The Senior Divisional Electrical Engineer, TRS and Disciplinary Authority, Eastern Railway Division, Asansol, Post Office & Police Station-Asansol, District- West Burdwan, Pin 713301.

4. Sri Vikash Anand, DEE, TRS and Enquiry Officer, Eastern Railways, Asansol, Eastern Railway Division, Asansol, Post Office & Police Station-Asansol, District- West Burdwan, Pin 713301.

.....Respondents



No. O.A. 350/00798/2017

Date of order: 30.6.2017

Present : Hon'ble Mr. A.K. Patnaik, Judicial Member

For the Applicant : Ms. A. Gupta, Counsel

For the Respondents : Mr. A.K. Banerjee, Counsel

O R D E R (Oral)**A.K. Patnaik, Judicial Member:**

Heard Ms. A. Gupta, Ld. Counsel for the applicant and Mr. A.K. Banerjee, Ld. Counsel for the respondents.

2. Ms. Gupta wanted to file a representation to the General Manager, Eastern Railway i.e. respondent No. 1 within a period of three weeks. Mr. Banerjee, Ld. Counsel for the Railway Respondents submitted that though the disciplinary proceeding was initiated quite a long time back but till date the applicant has not filed his reply.

3. However, I am satisfied with the submissions made by Ms. Gupta and accordingly the O.A. is disposed of by granting liberty to the applicant to prefer a comprehensive representation annexing all the relevant documents, if so desire, to the General Manager, Eastern Railway within a period of three weeks from today and if any such representation is preferred within the period of three weeks from today then the respondent No. 1 will consider and dispose of the same as per rules and regulations governing the field and communicate the result thereof by way of a well reasoned and speaking order within a period of one month from the date of receipt of such representation.

4. Though I have not entered into the merits of the case and granted liberty to make a comprehensive representation, but I hope and trust that till the said representation is considered and disposed of and the result thereof communicated to the applicant, the respondent No. 1 may direct the



disciplinary authority / enquiry authority not to proceed further with the proceedings.

5. The applicant is at liberty to annex copy of this order with the representation.

6. With the aforesaid observation and direction, the O.A. is disposed of.

7. Urgent copy of this order be handed over to Ld. Counsel for the both sides by Monday.



**(A.K. Patnaik)
Judicial Member**

SP