

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH
KOLKATA



No. OA. 350/00887/2016

Date of Order: 01.12.2016

Present : Hon'ble Justice Shri Vishnu Chandra Gupta, Judicial Member
Hon'ble Ms. Jaya Das Gupta, Administrative Member

Subir Kr. De Sarkar
VS.
E. Rly.

For the Applicant : Mr. A. Chakraborty, Counsel
Ms. T. Das, Counsel

For the Respondents : Mr. AK Banerjee, Counsel

Order (Oral)

Justice Shri Vishnu Chandra Gupta, Judicial Member

This application has been moved by the applicant against the punishment orders which has been passed by the authorities and against the punishment order the applicant preferred an appeal which is still pending before the authorities. The memo of appeal placed on record shows that the appeal has been preferred on 19.09.2016 against the order of punishment dated 07.04.2016.

2. Learned counsel for applicant argued that on an earlier occasion a petition was filed wherein a time bound order has been passed to conclude the inquiry but the same has not been concluded in time. Hence, the inquiry order ought to have been quashed. We without making any comments on the arguments are of the view that the petitioner has already taken recourse of appeal in view of Section 20 of AT Act.

3. Learned counsel for applicant would submit that the Appellate Authority may be directed to decide the appeal expeditiously. Hence, we direct the Appellate Authority to dispose of the appeal of the applicant expeditiously in accordance with law.

4. The applicant wants to withdraw the application and file a fresh application including the relief challenging all the orders passed by the departmental authority in accordance with law.

5. Liberty is granted to the applicant to file a fresh original application after exhausting all the departmental remedies available under the rules.

6. OA is accordingly disposed of. No costs.


(Jaya Das Gupta)
Administrative Member


(Justice Vishnu Chandra Gupta)
Judicial Member

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