

**BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL**

**KOLKATA BENCH, KOLKATA**

**O. A. No.350/O 1374 of 2017**

In the matter of:

An application u/s 19 of the  
Administrative Tribunals Act, 1985

And

In the matter of :

Dr. Prasan Kumar Das, aged about  
56 years, Son of Late Hare Krushna  
Das, working for gain as Additional  
Chief Medical Superintendent at  
Adra under the South Eastern  
Railway and residing at DS-163,  
Officers Colony, South Eastern  
Railway, Adra, District : Purulia, Pin  
Code-723121.

... Applicant

**Versus**

1. The Union of India, service  
through the General Manager,  
South Eastern Railway, 11, Garden  
Reach Road, Kolkata 700 043.

2. The General Manager, South Eastern Railway, 11, Garden Reach Road, Kolkata 700 043.

3. The Director,

Railway Board, Ministry of Railways,  
Rail Bhavan, New Delhi 110001.

4. The Chief Medical Director,  
Central Hospital, South Eastern Railway, 11, Garden Reach Road, Kolkata 700 043.

5. The Chief Personnel Officer,  
South Eastern Railway, 11, Garden Reach Road, Kolkata 700 043.

6. The Sr. Personnel Officer  
(GAZ), South Eastern Railway, 11,  
Garden Reach Road, Kolkata-  
700043.

7. Mr. S N Agarwal,

The General Manager, South Eastern Railway, 11, Garden Reach Road, Kolkata 700 043.

... Respondents

No. O.A. 350/01374/2017

Date of order: 22.9.2017

Present: Hon'ble Mr. A.K. Pattnaik, Judicial Member  
Hon'ble Dr. Nandita Chatterjee, Administrative Member

For the Applicant : Mr. S.K. Dutta, Counsel  
Ms. M. Roy, Counsel  
Mr. B. Chatterjee, Counsel  
Ms. A. Roy, Counsel

For the Respondents : Mr. B.L. Gangopadhyay, Counsel

**ORDER (Oral)**

**Dr. Nandita Chatterjee, Administrative Member:**

Heard Mr. S.K. Dutta, Ld. Counsel for the applicant, who has challenged the memo dated 13.9.2017 of the respondents, which has been issued to the applicant enclosing articles of charge under Rule 9 of the Railway Servants (Discipline & Appeal) Rules, 1968.


2. We find that such challenge of the memorandum is premature as the applicant has been given opportunities to represent and to defend his case.

3. We hope and trust, however, that the proceedings will be conducted in the true spirit of the respondents' Discipline and Appeal rules and that the essentials of natural justice shall be observed with due regard to the defence that the applicant would like to make in this context.

4. The applicant is at liberty to seek extension for submitting his defence, if so desired.

5. Mr. B.L. Gangopadhyay, Ld. Counsel for the respondents is present and heard.

6. With these observations and direction, the O.A. is disposed of.

  
(Dr. Nandita Chatterjee)  
Administrative Member

  
(A.K. Pattnaik)  
Judicial Member