



**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA**

No. O.A. 350/00304/2018

Date of order : 9.07.2018

**Present : Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. Nandita Chatterjee, Administrative Member**

**Sri Subodh Kumar Sharma,
Son of Ram Narayan Sharma,
Aged about 44 years,
Residing at Village – Kangoi (Lila Nagar),
Post Office – Mihiyam, District – Jamtara,
Jharkhand, Pin – 815354.**

---Applicant

-Versus-

- 1. Union of India,
Through General Manager,
Eastern Railway,
Fairlie Place,
Kolkata – 700 001.**
- 2. Senior Divisional Personnel Officer,
Eastern Railway,
Asansol,
713301.**
- 3. Senior Divisional Electrical Engineer,
Eastern Railway,
Asansol,
713301.**

---Respondents

For the Applicant : Mr. A. Chakraborty, Counsel

For the Respondents : Mr. S. Banerjee, Counsel

ORDER (Oral)

Per Ms. Bidisha Banerjee, Judicial Member:

Heard Ld. Counsel for both sides.

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2. This O.A. has been filed under Section 19 of the Administrative Tribunal Act, 1985 seeking the following relief:-

- “(a) Charge sheet 11 No. M/100/SKS/2017 dated 4.1.2017, issued by the Disciplinary Authority cannot be sustained in the eye of law and therefore the same may be quashed.
- (b) Order of punishment dated 07.02.2017 issued by the disciplinary authority cannot be sustained in the eye of law and as such the same may be quashed.
- (c) An order do issue directing the appellate authority to consider and dispose of the appeal made by the applicant at an early date.”

3. During hearing both the Counsels agreed at the bar that the matter can be disposed of with a direction upon the competent authority i.e. the Additional Divisional Railway Manager, Eastern Railway, Asansol Division to consider and dispose of the appeal preferred by the applicant on 08.4.2017 within a fixed time frame.

4. Therefore, without going into the merits of the case, the O.A. is disposed of with a direction upon the Additional Divisional Railway Manager to consider the appeal dated 8.4.2017 in accordance with law and dispose it of with a reasoned and speaking order to be issued within eight weeks from the date of receipt of a copy of this order and communicate the decision so taken within a fortnight thereafter.

5. It is made clear that we have not gone into the merits of the case and, therefore, all points raised are kept open for consideration by the concerned respondent authority.

6. The O.A. is disposed of accordingly. No costs.

(Nandita Chatterjee)
Administrative Member

(Bidisha Banerjee)
Judicial Member

SP