

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

ORIGINAL APPLICATION NO.170/00594 /2017

DATED THIS THE 7<sup>th</sup> DAY OF JANUARY 2019

HON'BLE DR. K.B. SURESH, MEMBER(J)

HON'BLE SHRI CV. SANKAR, MEMBER(A)

T.Shivanna,56 years,  
S/o Late S.Thimmappa,  
Occn:Senior Personnel Officer,  
South Western Railway  
Headquarters,  
Gadag Road,  
Hubli 580 020.

...Applicant

(By Shri PA.Kulkarni, Advocate)

Vs.

1.Union of India  
to be represented  
by its General Manager,  
South Western Railway ,  
Hubli 580 020.

2.General Manager,  
South Western Railway ,  
Gadag Road,  
Hubli 580 020.

3.Chief Personnel Officer,  
South Western Railway  
Headquarters,  
Gadag Road,  
Hubli 580 020.

...Respondents.

(Shri NS.Prasad..... Counsel)

O R D E R (ORAL)

HON'BLE DR. K.B. SURESH, MEMBER(J)

1. Heard. After having heard the matter in some detail, we are of the view that the interest of the applicant and the department will be protected, if, the department is allowed to pass a final order in the Disciplinary Enquiry (DE) after the conclusion of the 313 examination in the Criminal Trial Court in CC.No.RC/11(A)/2015 is over. OA is disposed off on the above terms.

2. At this time Shri NS.Prasad, learned counsel for the respondents would say that he had no idea about what happened in the Criminal Court. Let them enquire with the CBI and find out when the 313 examination is over and on the conclusion of the 313 examination proceed to pass an appropriate order. OA is disposed off as above. No order as to costs.

( CV. SANKAR)  
MEMBER(A)

(DR. K.B. SURESH)  
MEMBER(J)

bk.

**Annexures referred to by the applicant in OA No. 594 /2017**

**Annexure-A1:** Copy of the final report dated 31.3.2016 submitted in RC 11(A)/2015 of CBI ACB Bengaluru

**Annexure-A2:** Copy of the charge memo dated 27.6.2017 issued by GM SWR Hubli R-2

**Annexure-A3:** Copy of representation dated 2.8.2017

**Annexure-A4:** Copy of impugned order dated 7.9.2017

**Annexures referred in the reply**

Annexure R-1: Master circular 67 and RBE No.128/2007