

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

ORIGINAL APPLICATION NO.170/00672/2018

DATED THIS THE 09TH DAY OF APRIL, 2019

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

HON'BLE SHRI C.V. SANKAR, MEMBER (A)

Sri. C.Manju
S/o Sri.R.H. Chowda Nayaka
Ex. Operating Porter
South Western Railway,
Bangalore Division
Residing at 333 k, Railway Quarters
MG Colony, Bangalore-23. Applicant
(By Advocate Shri K. Shivakumar)

Vs.

1. Union of India
Rep. by General Manager
South Western Railway, Hubli
2. Divisional Railway Manager,
South Western Railway, Bangalore
3. Senior Divisional Commercial Manager,
South Western Railway, Bangalore Respondents

(By Shri N. Amaresh, Senior Panel Counsel)

O R D E R (ORAL)

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

Heard. The matter is in a very small compass. A set of charges were laid against the applicant which apparently he has admitted.

2. Now, his claim seems to be that he was made to accept those charges as true. He would say that he did not get the assistance of Defence Assistant. He would say that proper opportunity was not granted to him. But on questioning it appears that he had not asked for any of these things. Since the charges seems to be accepted and admitted by the applicant, no further enquiry was held. At this point of time, the applicant raises a question that since even though he was a Bungalow Peon he had been designated as a Porter and, therefore, only the operating department could have taken action against him. That might have been a way of accommodating him somewhere but the fact remains that he was still a Bungalow Peon and was working as such and the infractions occurred while working as such only which even the applicant also admits and, after having admitted it, nothing more can be said about it.

3. There is no merit in the OA. The OA is dismissed. No order as to costs.

(C.V. SANKAR)

(DR.K.B.SURESH)

MEMBER (A)

MEMBER (J)

/ksk/

Annexures referred to by the applicant in OA No. 170/00672/2018

- | | |
|-------------|--|
| Annexure 1 | Office order dated 27.1.2016 |
| Annexure 2 | Letter of Sr.DCM dated 29.1.16 |
| Annexure 3 | Office order dated 21.3.2016 |
| Annexure 4 | Copy of charge sheet dated 6.10.2016 |
| Annexure 5 | Copy of charge sheet dated 6.2.2017 |
| Annexure 6 | Copy of the Enquiry Report dated 10.5.2017 |
| Annexure 7 | Copy of the Penalty Advice dated 2.6.2017 |
| Annexure 8 | Copy of the Appeal dated 10.7.2017 |
| Annexure 9 | Copy of the Order of AA dated 11.10.2017 |
| Annexure 10 | Copy of the Revision Petition dated 24.11.2017 |
| Annexure 11 | Copy of the Order of RA dated 7.2.2018 |

* * * * *