

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

ORIGINAL APPLICATION NO.170/00109/2019

DATED THIS THE 01<sup>ST</sup> DAY OF OCTOBER, 2019

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

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

Sri M. Raghu  
S/o Late P Mallappa  
Aged: 41 years,  
Senior TT/SL/SBC Mysore Division,  
South Western Railways,  
Mysore Division,  
Mysore District 570 001 ..... Applicant  
(By Advocate Shri R.P. Somashekharaiyah)

Vs.

1. The Union of India,

Rep. by its Secretary,

Department of Railways,

New Delhi 110 012

2. Senior Divisional Commercial manager,  
Divisional Office,  
Commercial Branch,  
South Western Railway,  
Mysore,  
Mysore District 570 001

3. Senior Divisional Personal Officer,  
Divisional Office,  
South Western Railway,  
Mysore,  
Mysore Dsitrict 570 001

4. Senior Enquiry Officer (Enquiry Wing)  
Ground Floor, East Wing,  
Rail Soudha, Gadag Road,  
Hubballi, Dharwad District 580 001 ....Respondents

(By Shri N. Amaresh, Counsel for the Respondents)  
O R D E R (ORAL)

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

This is a case in which two parallel proceedings are initiated. One under the penal laws of the land and another one under the rules relating to departmental enquiry. Apparently applicant had come to the Court very late. Had he come before the evidence had been adduced in the departmental enquiry, we would have probably held that the right of cross-examination

might have been diminished and would have advised the departmental authorities to wait till 313 examination in the criminal trial is over. But all that has been completed and by 07.01.2019 applicant had been asked to give his written brief regarding the enquiry and its consequences. At this stage of time there is no relevance for any further judicial interference as that stage has been long passed.

2. Therefore, the OA lacks merit. The OA is dismissed. No order as to costs.

(C.V. SANKAR)

MEMBER (A)

(DR.K.B.SURESH)

MEMBER (J)

/ksk/

**Annexures referred to by the applicant in OA No. 170/00109/2019**

Annexure A1: Copy of the charge sheet dated 25.01.2017

Annexure A2: Copy of the notice dated 21.09.2017

Annexure A3: Copy of the statement of Articles of charge issued by the Respondent No. 4

Annexure A4: Copy of the statement of imputation dated 21.09.2017

Annexure A5: Copy of the continuation of proceedings dated 07.01.2019

Annexure A6: Copy of the order dated: 08.01.2019 made in OA  
170/00015/2019

**Annexures referred in MA No. 287/2017**

Annexure MA1: Copy of the Railway Board's letter dated 19.04.2016

**Annexures referred in reply statement**

Annexure R1: Copy of the letter of submission dated 19.10.2017

Annexure R2: Copy of the letter dated 29.01.2019

Annexure R3: Copy of the RBV No. 07/2018

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