

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 2 DAY OF July 1996

Original Application No. 1578 of 1992

HON. MR. JUSTICE B.C. SAKSENA, V.C.

HON. MR. S. DAS GUPTA, MEMBER (A)

Omkar Singh, son of late Shri Anand Singh  
Head T.T.E, Northern Railway Kanpur Central  
resident of 103/1, Kidwai Nagar, Kanpur

.... Applicant

BY ADV: SHRI K.K. MISRA

Versus

Union of India through D.R.M.  
Northern Railway, Allahabad

.... Respondents

BY ADV: SHRI M.C. MISRA

ORDER (Reserved)

JUSTICE B.C. SAKSENA, V.C.

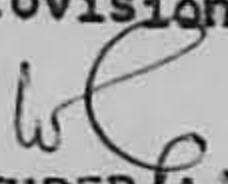
We have heard the learned counsels for the parties. The respondents have filed written preliminary objection to the maintainability of the O.A. The plea is that one single petition has been filed seeking quashing of two separate punishment orders passed in two different disciplinary proceedings No. CT/LE/91/346 and CT/LE/~~92/346~~90/30. It is further pleaded that a single application for more than one relief is barred by the provisions of Rule 10 of the CAT Procedure Rules 1987. The learned counsel for the applicant was unable to indicate that the second relief is in the nature of a consequential relief to the first relief. In view of the clear provisions of Rule 10 sub rule (1) of Sec. 22 of the Administrative Tribunals Act the petition is clearly barred.

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2. The learned counsel for the applicant was given an option to confine this O.A to one particular relief but he failed to appreciate the position and insisted that the preliminary objection is untenable and should be rejected. We are not persuaded. A similar view was taken in an order dated 28.2.89 passed in O.A. 679/89 Udaikant Shukla Vs. Union of India by a Division Bench of this Tribunal. We are in respectful agreement with the said view. The preliminary objection therefore succeeds and the O.A. accordingly fails and is dismissed as not maintainable in view of the provisions indicated hereinabove.

  
MEMBER (A)

  
VICE CHAIRMAN

Dated: June 27 / 1996

Uv/