

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

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O.A. No. 248 of 1986
T.A. No.

DATE OF DECISION 17. 10. '86

SHRI J. B. CHAUHAN Petitioner

SHRI J. J. YAGNIK Advocate for the Petitioner(s)

Versus

UNION OF INDIA & ORS. (P & T) Respondent

SHRI J. D. AJMERA Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. P. H. TRIVEDI (Vice-Chairman)

The Hon'ble Mr. P. M. JOSHI (Judicial Member)

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. Whether it needs to be circulated to other Benches of the Tribunal.

O.A. 248/86

Per: Hon'ble Shri P. H. Trivedi, Vice-Chairman

JUDGMENT

In this case, the applicant, Shri J. B. Chauhan, has sought to impugn several orders imposing penalties and has asked for restraining one respondent from exercising disciplinary powers and respondents to pay the arrears as if no penalty was imposed, by means of a single application under Article 226 of the Constitution. The respondent no. 5 has contended that the application deserves to be dismissed, because the applicant has joined several causes of action leading to misjoinder. He has also contended that on each of the impugned orders, necessary action has already been taken to the extent merited and has filed a statement showing the decisions taken on various impugned orders.

After hearing the learned advocates of both the parties and perusing the application and reply and rejoinder thereto, we find that the application suffers from joining of more than one cause of action in a single application and the reliefs prayed for are not consequential to one another, but are related to separate specific impugned orders, which are dealt with different circumstances and facts, relating to different events, leading to different charges and different orders imposing penalties, in respect of which different representations have been entertained and action has been taken thereon separately. In such circumstances, the application suffers from

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seeking plural remedies and merits dismissal. It is expressly provided in Rule 10 of the Central Administrative Tribunal (Procedure) Rules, 1985, that "An application shall not seek relief or reliefs based on more than a single cause of action in one single application unless the reliefs prayed for are consequential to one another." We, therefore, order that the application be dismissed. No order as to costs.

P. H. Trivedi
(P. H. TRIVEDI)
Vice-Chairman

P. M. Joshi
(P. M. JOSHI)
Judicial Member