

Before Central Admin. Tribunal

~~For~~ 1-5-86.12-686

G. P. Bvc.-(J)-293-75000-9-83.

Spl. H. C. C. D., 46E.

District: Rajkot.

~~Stamp No.~~

Advocate M/s. B. B. Gogia &
S. J. Vyas

Office Note, if any.

Prays for int. relief

CIVIL ~~APPEAL~~ No. 163 of 1986
APPLICATION

Under (Art. _____ Act) _____
of the _____

Constitution of India)

To be admitted to the File.

This _____ day of _____ 198 _____

Assistant Registrar

Court's Order

Mr. Udhani waives notice for Respondent-1. Adjourn to 12-6-86. In the intervening period Mr. Udhani may take instructions as to whether the respondent would be able to take the applicant in service, by treating the earlier absence as leave without pay, so as to make it a continuous service.

1-5-86.

B. C. Hedgil (B. C. Hedgil J.)

V. C.

(6/11/86)
(2)
O.A. No. 93/86.

Application No. 163 of 1986

Date of decision: 25-6-1986.

CORAM: B.C. GADGIL J.

ORDER.

Heard Mr. Gogia for the applicant and Mr. Parekh for Mr. Udhani for the respondents. After hearing both of them, it appears that it would be necessary for me to record the statement of Traffic Inspector, Hapa, to clarify the position. The respondents are directed to ask the said Traffic Inspector to appear before me on 16-7-86. It should be noted that serious view will be taken if he fails to remain present as per the above directions.

Dated: 25-6-1986.

B. C. Gadgil
(B.C. GADGIL J.)
V.C.

O.A.No. 93/86

CORAM : (1) Mr. P.H. Trivedi (Vice Chairman)
(2) Mr. P.M. Joshi (Judicial Member)

The learned counsel for the applicant has reported his inability to attend the tribunal due to disturbed condition prevailing in the city. Hence the matter is adjourned to 29th July 1986 as requested.

17-7-86

(P.M. JOSHI)

J.M

(P.H. TRIVEDI)

V.C.

O.A.93/86

29.7.86

Mr. M.N. Udani, the learned counsel for the respondents has passed a purses duly signed by Divisional Railway Manager whereby it has been stated that the respondents are prepared to take applicant on duty provided he withdraws the present application and the recovery application No. 146/84 pending before the Labour Court (at Rajkot). According to Mr. Udani, the applicant is on duty at Bhatia and therefore in the service of the respondent. Mr. B.B. Gogia declare that he withdraws the application. On his doing so, the applicant will be treated as on duty from 21.6.1984 and all benefits except salary, will be payable to him. Mr. Gogia also undertakes that the applicant will withdraw the recovery application No. 146/84 pending in Labour Court at Rajkot as early as possible. With these directions the application stands disposed of as withdrawn with no order as to cost.

(P.M. JOSHI)
MEMBER

(P.H. TRIVEDI)
VICE CHAIRMAN