

# IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

AHMEDABAD BENCH

O.A / CA No 83 1988

①

Sona Sira Kalaram Applicant(s)

R.K. Mishra

Versus

Union of India & Ors Respondent(s)  
N S Shinde

Sr.No.	Date	Orders
28.1.88		Denial of duty (Copy Served), Pl. issue notice reg. admitted to respondent/s
10/3/88		RPAD received from respon. no 3, which is filed in OA/55/88.  Pl-issue notice reg. I.R with admission. → RPAD received from respon. no. 3 & 2. → RPAD received from respon. no. 1, which is kept with stamp no 11/88.

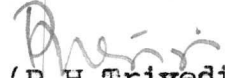
OA/83/88

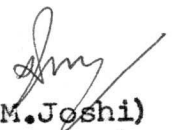
Coram : Hon'ble Mr. P.H. Trivedi : Vice Chairman  
Hon'ble Mr. P.M. Joshi : Judicial Member

28/1/1988

(2)

Heard learned advocates Mr.R.K.Mishra and Mr.N.S.Shevde for the applicant and the respondent. Admit. Issue notice on the respondent to reply on interim relief within 15 days ~~from-the~~ and on merits within 45 days from the date of this order. The case be posted on 10th March, 1988 for further direction. and on 15-2-88 for interim relief.

  
(P.H.Trivedi)  
Vice Chairman

  
(P.M.Joshi)  
Judicial Member

a.a.bhatt

B

CORAM : Hon'ble Mr. P.H. Trivedi .. Vice Chairman  
 Hon'ble Mr. P.M. Joshi .. Judicial Member

10/03/1988

Heard learned advocates Mr. R.K. Mishra and Mr. N.S. Shevde for the applicant and respondents respectively. Mr. Shevde seeks time for filing reply. Admittedly, no order of termination has been passed and the respondent has not yet filed the reply although time was allowed to do so. For interim relief, we direct that the applicant be allowed to resume duty immediately. The respondent allowed further one month's time to file reply on merit. The case be fixed in January, 1989 for final hearing.

*PH Trivedi*  
 ( P H Trivedi )  
 Vice Chairman

*PM Joshi*  
 ( P M Joshi )  
 Judicial Member

\*Mogera

While doing physical verification of old cases it is found that this case is pending in which it was to be placed on board on 1/88, but meanwhile cases filed & disposed of & along with this case was also sent to Record Room without getting it disposed of. Now we may place it on board for final Adm. hearing. Mr. R.K. Mishra is local advocate.

*7/4/98*

(A)

Date

Office Report

O R D E R

17.4.98

Adjourned to 23.4.1998.

*P.C.*  
(P.C. Kannan)  
Member (J)

*V.*  
(V. Ramakrishnan)  
Vice Chairman

vtc.

23.4.98

Mr. Shevde says that consequent to continuance of the applicant in terms of the interim order, it is possible that some relief has already been granted by the Railway Admn.

Mr. Mishra is not present today even though he was informed earlier.

Adjourned to 30.4.1998.

*V.*  
(V. Ramakrishnan)  
Vice Chairman

vtc.

30.04.98

Heard both sides. Oral order dictated in open court.

(P.C. Kannan)  
Member (J)

(V. Ramakrishnan)  
Vice Chairman

hki

# CENTRAL ADMINISTRATIVE TRIBUNAL

## AHMEDABAD BENCH

(5)

**O.A.NO.** 83/88

**~~T.A.NO.~~**

DATE OF DECISION 30.04.1998

Sona Sira Kalaram

Petitioner

Mr. R.K. Mishra

Advocate for the Petitioner [s]

Versus

Union of India and Others

Respondent

Mr. N.S. Shevde

Advocate for the Respondent [s]

**CORAM**

The Hon'ble Mr. V. Ramakrishnan, Vice Chairman

The Hon'ble Mr. P.C. Kannan, Member (J)

### JUDGMENT

- 1, Whether Reporters of Local papers may be allowed to see the Judgment ? *ms*
- 2, To be referred to the Reporter or not ? *ms*
- 3, Whether their Lordships wish to see the fair copy of the Judgment ?
- 4, Whether it needs to be circulated to other Benches of the Tribunal ? *ms*

1) Shri Sonasira Kalaram  
2) Smt. Susheela Padman.  
Both C/o Shri Harishanker J. Gupta,  
Sant Kabirnagar, Akota,  
Near Railway Lane,  
Baroda - 390 005.

(b)

... Applicant

(Advocate: Mr. R.K. Mishra)

VERSUS

1. Union of India  
(Notice to be served through  
General Manager, Western Railway,  
Church Gate, Bombay)
2. Senior Divisional Engineer II,  
Western Railway,  
Pratapnagar, Baroda.
3. PWI (PQRS),  
Western Railway,  
Bharuch.

... Respondents

(Advocate: Mr. N.S. Shevde)

ORAL ORDER

O.A./83/88

Dated: 30.04.1998

Per: Hon'ble Mr. V. Ramakrishnan, Vice Chairman

The applicants, casual labourers, had prayed for quashing and setting aside the order of termination of their service. They had also prayed for reinstatement, conferment of temporary service and with consequential benefits. When the Tribunal was approached, they obtained an interim order dt. 10.3.98 that they should be allowed to resume duty. As this was not carried out immediately, a Contempt Petition was filed and the respondents stated that the applicant had been allowed to resume duties with effect from 16.4.98. The OA was disposed of and the notice was discharged by the Tri-

Contd..3/-

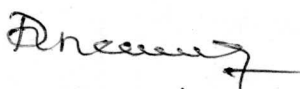
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bunal's order dt. 24.4.91 as the Tribunal held that the respondents had complied with the directions of the Tribunal. After the reinstatement of the applicant, the matter was not pursued by both parties.

2. The Standing Counsel for the Railway Administration submits that consequent to reinstatement of the applicant in terms of the interim order, they would have been continued in service. Even though time was given to indicate the present position of the applicants, the Railway Administration has not been able to do so.

3. In the light of this position, we dispose of the present OA by directing the railway administration that apart from continuing the applicants in service after reinstatement, they should be given whatever benefits are available in terms of the relevant scheme which is operating in such cases.

4. With these directions, the OA is finally disposed of. No costs.

  
(P.C. Kannan)  
Member (J)

  
(V. Ramakrishnan)  
Vice Chairman

hki

**CENTRAL ADMINISTRATIVE TRIBUNAL**  
**AHMEDABAD BENCH**

8

**O.A.NO.** 83/88  
**T.A.NO.**

**DATE OF DECISION** 30.04.1998

Sona Sira Kalaram **Petitioner**

Mr. R.K. Mishra **Advocate for the Petitioner [s]**

**Versus**

Union of India and Others **Respondent**

Mr..N.S. Shevde **Advocate for the Respondent [s]**



The Hon'ble Mr. V. Ramakrishnan, Vice Chairman

The Hon'ble Mr. P.C. Kannan, Member (J)



9

1) Shri Sonasira Kalaram  
2) Smt. Susheela Padman.  
Both C/o Shri Harishanker J. Gupta,  
Sant Kabirnagar, Akota,  
Near Railway lane,  
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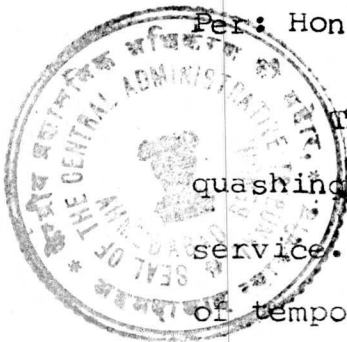
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(P.C. Kannan)  
Member (J)

Sd/-

(V. Ramakrishnan)  
Vice Chairman

hki

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True Copy  
31 Dec 1998  
18/5/98  
Counsel Administration  
Administration Section