

(16)

CAT/J/13

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

**O.A. NO. 696/88**

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

**DATE OF DECISION** 14.12.1994

Shri Kisansinhji Jhalla **Petitioner**

Mr. K.K. Shah **Advocate for the Petitioner (s)**

**Versus**

Union of India & Ors. **Respondent**

Mr. B.R. Kyada **Advocate for the Respondent (s)**

**CORAM**

**The Hon'ble Mr. N.B. Patel**

**: Vice Chairman**

**The Hon'ble Mr. V. Radhakrishnan**


**: Member (A)**


**JUDGMENT**

1. Whether Reporters of Local papers may be allowed to see the Judgment ?
2. To be referred to the Reporter or not ?
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 ?

No

directed to entertain the Revision Application without going into the question of limitation. If the applicant makes a Revision Application confined only to the question of quantum of punishment, within three weeks hereof, the Revisional Authority is directed to entertain the Revision Application without raising any question of limitation. We issue this direction, especially for the reason that we feel <sup>that</sup> it is only through ~~the~~ bonafide misconception that the applicant has directly approached this Tribunal without first exhausting the remedy of filing Revision Application. We hope that, while deciding the question as to what punishment should be awarded to the applicant, the Revisional Authority will give due weight to the facts (as stated before us by Mr. Shah) that the applicant was not allotted quarter even though, his turn for allotment had arrived and also the financial adverse effect which the applicant would suffer, if punishment of withholding of any increment is with permanent effect. The Revisional Authority is directed to dispose of the Revision Application within a period of two months from the date of the receipt of <sup>him.</sup> the Revision Application by/. In view of these directions, Mr. Shah seeks permission to withdraw the O.A. with liberty to file a fresh O.A. in the event of the applicant feeling aggrieved by the order that may be passed on the Revision Application. Permission granted with liberty as prayed for. O.A. stands disposed of accordingly. No order as to costs.

  
(V. Radhakrishnan)  
Member (A)

  
(N. B. Patel)  
Vice Chairman

Shri Kisansinhji Jhalla  
C/o.Kiran K.Shah  
Advocate,  
3, Achalayatan Society  
Div.II,  
B/H Memnagar Fire Station  
Navrangpura,  
Ahmedabad-380 009.

: Petitioner

(Advocate: Mr.K.K.Shah)

Versus

1. General Manager,  
Western Railway,  
Churchgate,  
Bombay-400 020.
2. Divisional Railway Manager,  
Western Railway,  
Ajmer.
3. Divisional Electrical Engineer,  
Western Railway,  
Ajmer.

: Respondents

( Advocate : Mr.B.R.Kyada )

O R A L O R D E R

O.A.696/88

Date: 14.12.94

Per : Hon'ble Mr.N.B.Patel

Vice Chairman

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After the arguments on behalf of the applicant were heard at some length, Mr.K.K.Shah states that the applicant is prepared to file a Revision Application against the impugned appellate order and further that the applicant will press before the Revision Authority only the question as to the quantum of punishment. Mr.Shah further states that the applicant will be satisfied, at this stage, if the Revisional Authority is