

(86)

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL**  
**AHMEDABAD BENCH**

O.A. No. //128/89

~~T.A. No.~~

DATE OF DECISION 10th June, 1992.

Shri N. A. Khan Petitioner

Shri P. H. Pathak Advocate for the Petitioner(s)

Versus

The Union of India & others. Respondent

Shri N. S. <sup>shevle</sup> SAVEDA Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. D. L. Mehta : Vice Chairman

The Hon'ble Mr.

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

1. Shri N. A. Khan  
Assistant Goods Clerk,  
L/26-B, Railway Colony,  
Sabarmati,  
Ahmedabad.

...Applicant.

( Advocate : Mr. P. H. Pathak )

versus

1. The Union of India  
Notice to be served  
through The General Manager,  
Western Railway,  
Church Gate,  
Bombay.

2. The Divisional Railway Manager,  
Western Railway,  
Pratapnagar  
Baroda.

3. The Divisional Railway Manager,  
Western Railway,  
Kothi Compound,  
Rajkot.

...Respondents.

( Advocate : Mr. N. S. <sup>shevde</sup> ~~Sevada~~ )

O R A L J U D G M E N T

O.A. NO. 128 OF 1989

Per : Hon'ble Mr. Justice D. L. Mehta : Vice Chairman

Learned counsel Mr. P. H. Pathak for the  
petitioner submits that he wants to make a re-  
presentation before the respondents according to  
law and he may be allowed to withdraw the petition.  
Prayer is accepted. He is allowed to withdraw the  
petition with a liberty to file a fresh application.



( D. L. MEHTA )  
Vice Chairman

M.A./278/89


in

O.A./128/89

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

12/04/1989

Heard learned advocates Mr. P.H. Pathak and Mr. N.S. Shevde for the applicant and respondents respectively. Mr. Pathak pleads that if eviction proceedings are started under Public Premises Eviction Act governing the case he will have a right to come only at the appellate stage and therefore he feels justified in seeking relief against any action that the authority might take under the law for evicting him. We have already dealt with this in our earlier order, no proceedings have been taken, and under what law of the petitioner is proceeded with and what right the petitioner is violative and whether this Tribunal has any jurisdiction in the matter. Accordingly the misc. application for amendment be allowed. Applicant to carry out amendment within 10 days. The respondents to reply to the amended petition after amendment is carried out within 15 days thereof. Registry to do the needful. With this order, M.A.278/89 stands disposed of. The main case be posted for admission thereafter.

  
( P H Trivedi )  
Vice Chairman

  
( P M Joshi )  
Judicial Member

\*Mogera