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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH
~~NEW DELHI~~

O.A. No. 469 OF 1990
~~XXXXXX~~

DATE OF DECISION 19-03-1991

Shri Valji Kana Petitioner

Shri B.B.Gogia, Advocate for the Petitioner(s)

Versus

Union of India and others Respondent

Shri B.R.Kyada Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. M.M.Singh ; Administrative Member

The Hon'ble Mr. S.Santhana Krishnan : Judicial Member

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

Shri Valji Kana,
Hindu, Adult,
C/o.Mr.Mohan Devji Kumbhar,
Gadhinagari,
AT OKHA,
(Dist.Jamnagar).

...Applicant.

(Advocate : Mr.B.B.Gogia)

Versus

1. Union of India,
owning and representing
Western Railway,
Through : General Manager,
Western Railway,
Churchgate,
BOMBAY.
2. Chief Engineer(Construction),
Western Railway,
2nd Floor,
B.G.Railway Station Building,
Railway Pura,
Ahmedabad - 380 002.

....Respondents.

ORAL ORDER

Date : 19-03-1991

Per : Hon'ble Mr.M.M.Singh : Administrative Member


Heard Mr.B.B.Gogia and Mr.B.R.Kyada, learned both the parties.
counsel for / By the above original application filed under Section 19 of the Administrative Tribunals Act, 1985, the applicant has prayed for direction to the respondents to release the posting order in his favour forthwith and permit him to discharge his duties and draw the salary of the post and pay him all the back wages and other dues under the judgment to the applicant and also interest at the rate of 12% on the wages due from 20.3.1989 which is the date of the expiry of three months from the date of the judgment. There is request for interim relief also.

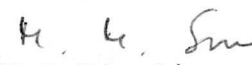
2. The applicant had earlier filed SCA/3146/85 which on transfer to this Tribunal was registered as T.A.426/86 ^{and was M} decided by the order dated 2.12.1988.

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3. It is clear from the averments and allegations in the petition that the above original application has been filed ^M under order to seek compliance of the order dated 2.12.1988. Original Application can not be filed ^{and M} for the purpose of the said reasons. ^M However, orders of the Tribunal are to be executed, ^{as M} is laid down under Section 27 of the above Act. The orders are not to be executed ^M or ^M get executed by filing the original application, ^M after the order ^M in this Tribunal.

4. In view of the above, we ~~admit~~ the application and dismiss it with no order as to costs.


(S. Santhana Krishnan)
Judicial Member

See no merit in M

(M.M. Singh)
Administrative Member