

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

O.A. No.
~~T.A. No.~~

507 pf

198 1990

DATE OF DECISION 30.7.1991

Shri Champaklal Ranchoddas Petitioner
Chadderwala

Mr. Y.N. Oza Advocate for the Petitioner(s)

Versus

Union of India & Ors. Respondent

Mr. P.M. Raval Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. M.M. Singh

: Admn. Member

The Hon'ble Mr. R.C. Bhatt

: 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? *no*
3. Whether their Lordships wish to see the fair copy of the Judgement? *no*
4. Whether it needs to be circulated to other Benches of the Tribunal? *no*

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Shri Champaklal Ranchoddas Chadderwala,
Postal Assistant,
Ankleshwar Post Office,
Ankleshwar,
DISTRICT BHARUCH.

: APPLICANT

(Advocate: Mr. Y. N. Oza, absent)

VS.

1. Superintendent of Post Office,
Bharuch Division,
BHARUCH-392 001.
2. Union of India, through
Post Master General,
Vadodara Region,
VADODARA.

: RESPONDENTS.

(Advocate: Mr. R. M. Raval)

CORAM : Hon'ble Mr. M. M. Singh
Hon'ble Mr. R. C. Bhatt

: Admn. Member
: Judicial Member

O R A L - O R D E R

C.A. No. 507 of 1990

Date: 30.7.1991

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

: Admn. Member

This original application has been filed under Section 19 of the Administrative Tribunals Act, 1985, seeking direction to quash and set aside an order dated 8.8.1990, which is the order of regularisation of period of suspension of the applicant who was placed under suspension with effect from 15.3.1987 on account of pending disciplinary proceedings against him, which order of suspension was subsequently revoked vide order dated 22.12.1989. As the applicant remained under suspension from 15.3.1987 to 29.12.1989, the period of suspension was regularised after serving show cause notice dated 28.5.1990 as to why the period of suspension should not be treated as non-duty for all purpose. The applicant submitted his reply to the representation, which he states has been duly


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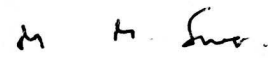
considered. Ultimately by this order the period of suspension has been ordered to be treated as non-duty subject to review after conclusion of the disciplinary proceedings. It is therefore clear by the language of this order that the applicant as also the Department, can ^{respectively} seek review or review the said order on the conclusion of the disciplinary proceedings. The applicant has sought payment ^{of} as arrears for the period covering by this order of suspension.

2. This matter was listed on 6.2.1991, when neither applicant nor his counsel remained present. On 21.2.1991 Mr. Oza learned counsel for the applicant wanted time to prepare himself on this matter. On 6.3.1991 Mr. D.B. Rana learned counsel appearing as proxy counsel for Mr. Oza submitted that he wants to amend the application. However, no amendment has been filed. Today, when the matter is ^{called} ~~listed~~ again neither applicant nor his counsel are present.

3. We have above given a brief idea of the material facts of this application ^{and} ~~under~~ relief. As the said ^{prayer} ~~above~~, order under challenge is subject to review and is therefore not a final order. We therefore feel that this application is not ^{ripe} ~~right~~ for our ^{further} ~~consideration~~. We have heard learned counsel for the respondents ^{also}.

4. In view of the above, the application is rejected.


(R.C. BHATT)
Member (J)


(M.M.SINGH)
Member (A)