

CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

O.A.NO. 127/91 & O.A.NO.182/91
T.A.NO.

DATE OF DECISION 10.3.98

Ibrahim Ismail _____ **Petitioners**
Gandal Bhikhhabhai

Mr. B.B.Gogia _____ **Advocate for the Petitioner [s]**
Versus

Union of India & Ors. _____ **Respondent**

Mr.R.M.Vin _____ **Advocate for the Respondent [s]**

CORAM

The Hon'ble Mr. V.Radhakrishnan :Member(A)

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

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 Lerdships wish to see the fair copy of the Judgment ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

: 2 :

O.A.127/91

Ibrahim Ismail,
C/o. Gandalal Bhikhabhai.
Behind IOW's Office,
Jetalsar Junction Station,
Western Railway,
Jetalsar.
(Advocate: Mr.B.B.Gogia)

: Applicant

Versus

1. Union of India,
Owning & Representing
Western Railway,
Through: General Manager,
Western Railway,
Churchgate, Bombay.

2. Divisional Operating
Superintendent,
Western Railway,
Bhavnagar Para,
Bhavnagar Para.
(Advocate: Mr.R.M.Vin)

: Respondents.

O.A.182/91

Gandalal Bhikhabhai,
Behind IOW's Office,
Jetalsar Junction Station,
Western Railway,
Jetalsar.
(Advocate: Mr.B.B.Gogia)

: Applicant

Versus

1. Union of India ,
Owning & Representing
Western Railway,
Bhavnagar Para,
Bhavnagar Para.

2. Divisional Operating Supdt.,
Western Railway, Bhavnagar Para,
Bhavnagar Para.
(Advocate: Mr.R.M.Vin)

: Respondents.

ORDER

O.A.127/91 & O.A.182/91

Date:10.3.98


Per: Hon'ble Mr.V.Radhakrishnan : Member(A)

The applicants in these O.As. have approached this Tribunal alleging that the

punishment meted out to them vide order dated 19.2.90 consequent to the judgment of this Tribunal in O.A.391/86 and O.A.426/86 dated 19.10.89 is too harsh. Hence, they claim the following reliefs:-

"(A) It may be declared that the impugned order No.ET/GZ/172(T) dated 19.2.90 at Annexure A/3 is illegal, ineffective to the extent that the applicant is denied continuity of services and the punishment imposed of fixing his salary at the beginning of the scale with permanent effect and the same may please be quashed and set aside directing the respondents to treat the applicant in continuity of service with all the consequential benefits of pay, fixation, promotion as and when due etc.

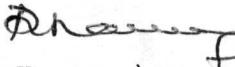
(B) Any other better relief/s which the Hon'ble Court deem just and proper in the circumstances of the case may also please be granted to the applicant.

(C) Cost of this petition may also be please be granted to the applicant from the defendants."



2. After discussion at the bar, it is seen that the applicants have not filed revision petition against the punishment order dated 19.2.90 to the Revisional Authority. Mr.Gogia for the applicants states that the applicants are prepared to file Revision Petitions to the Revisional Authority i.e. DRM, Bhavnagar Division and such Revision Petitions when they are filed, may be considered without considering the question of limitation and decided on merits. Accordingly, the applicants are directed to file Revision Petitions to DRM, Bhavnagar against the order dated 19.2.90 within a period of one month from today and when such an order is received by Revisional Authority, Bhavnagar, he shall condone the time bar and consider and decide the Revision Petition on merits within a period of three months from the date of receipt of Revision Petitions.

3. With the above observations and directions, O.As. stand disposed of. No costs.


(P.C.Kannan)
Member (J)


(V.Radhakrishnan)
Member (A)