

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

AHMEDABAD BENCH
~~NEW W.D. BENCH~~O.A. No. 191
T.A. No. 260 ofDATE OF DECISION 6.8.1991Gurubachan Singh Wadzatia PetitionerMr. D.D. Lal Advocate for the Petitioner(s)

Versus

Union of India & Ors. RespondentMr. N.S. Shevde Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. M.M. Singh .. Member (A)

The Hon'ble Mr. S. Santhana Krishnan .. Member (J)

1. Whether Reporters of local papers may be allowed to see the Judgement? *Ys*
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*

Gurbachan Singh Wadzatia,
Retired Head T.T.E.,
19, Sawan Society,
Vatva Road, Maninagar,
Ahmedabad - 380 008.
(Advocate-Mr.D.D. Lal)

: Applicant

Versus

1. Union of India,

Through :
General Manager, W.Rly.,
Churchgate,
Bombay - 400 020.

2. Sr. Divisional Commercial-
Superintendent,
Western Railway,
Pratapnagar,
Baroda.

: Respondents

O.A. No. 260 of 1991

O R A L - O R D E R

Dated : 6.8.1991

Per : Hon'ble Mr. M.M. Singh : Member (A)

Heard Mr. D.D. Lal, learned counsel for the applicant. In this Original Application, the applicant retired Head T.T.E. has objected to Divisional Office, Baroda's reference dt. 21.3.1991 addressed to D.C.T.I., Baroda, under copy to Chief Ticket Inspector, Ahmedabad, Divisional Commercial Superintendent, Ahmedabad and Station Superintendent, Ahmedabad on the subject of debits outstanding at Ahmedabad Broadguage in respect of revised fares on 1st class and 1st ACC Class not collected from 1.1.1987 and onward.

2. The above reference shows that certain tickets were sold prior to 1.11.1987 for journey on/or after 1.11.1987. The date 1.11.1987 is crucial in the sense that w.e.f. 1.11.1987 the fares came to be revised upward.

H. M. L

Wes
The applicant at that time, working as Train Conductor for the trains for which the recovery of the difference between the original fare and the enhanced fare was not affected. The recovery of Rs. 1,236/- has therefore, been worked out by the Divisional Office, Baroda and collected from the applicant.

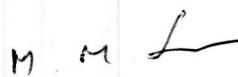
3. It is the contention of Mr. Lal that the applicant then working as Conductor was not responsible to affect the recovery of enhanced fare from the concerned passengers. When shown that this reference dated 21.3.1990 mentioned the designation as T.T.E. from whom the recovery are to be affected, Mr. Lal submitted that certain T.T.E. though appointed as T.T.E. are given duty of Conductor and the applicant was working as Conductor at the particular time. We find this plea is not taken in the representation dated 16.4.1990.

4. We, therefore, are of the view that the application does not deserve further consideration before us. We, however, suggest to the respondents that before affecting recovery, they may take into consideration the representation dated 16.4.1991 of the applicant.

5. In view of the above, the application is liable to be rejected. We have heard Mr. N.S. Shevde, learned counsel for the respondents also.

6. Application is rejected.


(S Santhana Krishnan)
Member (J)


(M M Singh)
Member (A)