

Repatriation (P&R)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

AHMEDABAD BENCH
N E W W D E C E M B E RO.A. No. 37 of 1991
TAX NO.

DATE OF DECISION 22.7.1991

Shri N.K. Sharma Petitioner

Mr. P.K. Handa Advocate for the Petitioner(s)

Versus

Union of India & Ors. Respondent

Mr. N.S. Shevde 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? No
4. Whether it needs to be circulated to other Benches of the Tribunal? No

Mr. N.K. Sharma,
7, Shree Society,
Behind Shyam Society,
Danteshwar,
VADODARA - 390 004.

: Applicant

(Advocate: Mr. P.K. Handa, present)

VS.

1. Union of India, through
The General Manager,
Western Railway,
Churchgate,
BOMBAY - 400 020.
2. Mukhya Raj Bhasha Adhikari/
Chief Commercial Superintendent (G)
Western Railway,
Churchgate,
BOMBAY - 400 020.
3. Sr. Raj Bhasha Adhikari,
Railway Staff College,
VADODARA - 390 004.

: Respondents

(Advocate: Mr. N.S. Shevde, present)

CORAM : Hon'ble Mr. M.M. Singh : Admn. Member
Hon'ble Mr. S. Santhana Krishnan : Judicial Member

O R A L - O R D E R

O.A. No. 37 of 1991

Date : 22.7.1991.

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

This Original Application under Section 19 of the Administrative Tribunals Act, 1985, has for its relief ~~for~~ quashing the repatriation order No. E/HQ/ 839/2/10/3 Vol. XII dated 14.1.1991 and deletion of names made vide MRA -CCS (G) CCG's letter No. E/HQ/1025/2/26 Vol. V dated 18.9.1990. It is alleged that these orders are illegal and void.

2. This application has history of litigation. The applicant figures as respondents in T.A. No. 901 of '86. It was disposed of by order dated 8.9.1988 of this Tribunal

An M.A./782/88 was filed later which was disposed of by order dated 23.10.1989 by a Bench of this Tribunal. This M.A. apparently came to be filed because of some typographical errors in the judgement above referred which were to be corrected, and other errors to be corrected.

3. It is the allegation of learned counsel Mr. Handa for the applicant that, in para 14 of the judgement in T.A. 901/86 which is operative part of the judgement the word 'Lower' in the seventh line of this para has been wrongly substituted and the word should have been 'Equivalent'. Further submission is that the order in M.A. was made by Bench of this Tribunal without the applicant of the original application before us being heard. So far as the allegation about the word 'Lower' being wrongly substituted and the word 'Equivalent' is concerned, and the denial of any opportunity to the applicant for hearing in ^{the} ~~in~~ order of the Tribunal in M.A./728/88 is concerned, we cannot hear any argument, as these are against what is the finalised position with regard to judgement delivered by co-ordinate Bench. As the application before us is based on such arguments made by Mr. Handa obviously ^{it} ~~it~~ can have no merits for further consideration from us. The application is hereby rejected.


(S. SANTHANA KRISHNAN)
Judicial Member


(M.M. SINGH)
Administrative Member

M.A./147/91

in

O.A. 37/91

Coram : Hon'ble Mr. P.H.Trivedi

: Vice Chairman

Hon'ble Mr. R.C.Bhatt

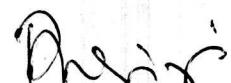
: Judicial Member

2.5.1991

Heard Mr.P.K.Handa and Mr.N.S.Shevde, learned advocates for the applicant and the respondents. Production of documents allowed. Documents may be placed on record. With this order, M.A./147/91 stands disposed of.

O.A. be listed on 5.6.1991.


(R.C.Bhatt)
Judicial Member


(P.H.Trivedi)
Vice Chairman

a.a.b.