

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

O.A. No./219/92
T.A. No.

DATE OF DECISION 27th January, 1995

Mafatlal M. Solanki Petitioner

Mr. M. S. Trivedi Advocate for the Petitioner(s)

Versus

Union of India & ors. Respondent

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

CORAM :

The Hon'ble Mr. N. B. Patel

Vice Chairman

The Hon'ble Mr. K. Ramamoorthy

Member (A)

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

No.

Mafatlal Muljibhai Solanki,
1875/12, Kesabai Chawl
Opp. Nagri Mill, Rajpur Road,
Ahmedabad.

Applicant

Advocate Mr. M. S. Trivedi

versus

1. Union of India, through :
The General Manager, W.Rly.,
Churchgate, Bombay.

2. Divisional Mechanical Engineer,
Western Rly., Kothl Compound,
Rajkot.

3. A.M.E., Western Railway,
Divisional Office,
Kothl Compound,
Rajkot.

4. Loco Foreman,
Loco Shed, W.Rly.,
Sabarmati, Ahmedabad.

Respondents

Advocate Mr. B. R. Kyada

ORIGINAL ORDER
O.A. 219/92

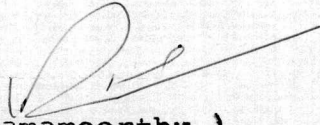
Date: 27/1/1995


Per Hon'ble Mr. N. B. Patel
Vice Chairman

Mr. Kyada states, under instructions received by him from Mr. R. C. Meena, Assistant Mechanical Engineer, Rajkot Division, that, if the applicant reports for duty as T & C (Smith) at Mehsana, he will be allowed to resume duty on that post immediately on the same day. Mr. Trivedi

states that the applicant will report for duty accordingly on 8/2/1995. Mr.Trivedi further states that, soon after the applicant is allowed to resume duty at Mehsana, he proposes to tender voluntary retirement/resignation. If the applicant does so, it is hoped that the authorities will take decision in the matter at the earliest, bearing in mind the relevant provisions. The applicant may also make a representation for regularisation of the period for which he has not actually worked and the Competent Authorities ^{is} ~~are~~ directed to take a decision in that matter within 4 weeks of the date of receipt of a representation by the applicant. In view of these observations and directions, Mr.Trivedi seeks permission to withdraw the present O.A. with liberty to ask for its revival, if any difficulty arises in the matter of the applicant reporting for duty or being allowed to resume duty. He also seeks liberty to file a fresh O.A. in the event of the applicant feeling aggrieved by the decision that may be taken on his request for regularisation of the aforesaid period. Permission granted with liberty as prayed for in both the above respects. O.A. stands disposed of as withdrawn accordingly. No order as to costs.

Copies of this order may be furnished to Mr.Trivedi and Mr.Kyada latest by 31/1/1995 evening.


(K.Ramamoorthy)
Member (A)


(N.B.Patel)
Vice Chairman