

Set aside
order of
Labour Court
in Transfer

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

M.A.No. 209/1992

in

O.A. No. 289/1992

~~R.A.No.~~

DATE OF DECISION 12.8.1992

Chief Medical Officer & Anr. Petitioner s

Mr. N.S.Shevde, Advocate for the Petitioner(s)

Versus

Kantilal Chhaganlal Patel, Respondent

Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. N.V.Krishnan, Vice Chairman.

The Hon'ble Mr. R.C.Bhatt, Judicial Member.

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 ?

1. Chief Medical Officer,
Western Railway,
Pratapnagar, Railway Yard,
Baroda.

2. Medical Officer,
Western Railway,
Railway Hospital,
G.L. Railway Colony,
Godhra.

..... Applicants.

(Advocate: Mr. N.S. Shevde)

Versus.

Kantilal Chhaganlal Patel,
Hindu, Age about 33 years,
occupation Western Railway
Stretcher Bearer, Railway
Hospital, residing at
Village Dyar, Taluka: Godhra,
District: Panchmahal.

..... Respondent.

ORAL ORDER

M.A. 209/1992

in

O.A. 289/1992

Date: 12.8.1992.

Per: Hon'ble Mr. R.C. Bhatt, Judicial Member.


Heard Mr. N.S. Shevde, learned advocate for
the applicants. Respondent absent though served.

2. The applicants have challenged before us
the jurisdiction of the Labour Court, Godhra, in
passing the impugned order Annexure A-4 dated 19th
February, 1992 by which the learned Judge of the Labour
Court, Godhra passed an order for maintenance of
status quo till the hearing of show-cause notice issued
to the respondents till 25th February, 1992. The
grievance of the learned advocate for the applicants
is that though the applicants who were original
opponent, in Misc. Application No. 11/92 before the
Labour Court filed reply on 25th February, 1992, the

learned Judge did not hear the application for injunction and repeatedly adjourned the matter.

3. In the instant case, the respondent though served with the notice has not appeared.

4. In our opinion, this matter can be disposed of at the admission stage by directing the Labour Court Godhra to dispose of the application for injunction taking into consideration the main objection of the present applicants that the Court has no jurisdiction to entertain the application. The learned Labour Court Judge to dispose of the application according to law within one month from the date of receipt of this order after hearing both the parties. Application is disposed of accordingly.


(R.C. Bhatt)
Member (J)


(N.V. Krishnan)
Vice Chairman

vtc.