

CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

R.A. 40/94 in

O.A. NO. /396/92

T.A. NO.

DATE OF DECISION 21.11.94

Union of India & ors.

Petitioner

Shri N.S. Shevde

Advocate for the Petitioner (s)

Versus

Shri S.K. Kamol & ors.

Respondent

Advocate for the Respondent (s)

CORAM

The Hon'ble Mr. K. Ramamoorthy : Administrative Member

The Hon'ble Mr. Dr. R. K. Saxena : Judicial Member

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

Ans

1. Union of India, Through its General Manager, Western Railway, Churchgate, Bombay.
2. Divisional Railway Manager (E), Western Railway, Divl. Office, Pratapnagar, Baroda.
3. Br. Divl. Commercial Supdt., Western Railway, Divl. office, Pratapnagar, Baroda.
4. Divisional Commercial Manager, Western Railway, Divl. office, Pratapnagar, Baroda.

Applicants

(Original respondents)

Advocate Shri N.S. Shevde

versus

1. Shri S.K. Kamol
2. " N.K. Ramakrishnan
3. " P.C. Meena
4. " M.D. Vanker
5. " A.S. Panwar
6. " K.U. Baria
7. " A.G. Shaikh
8. " M.M. Chauhan
9. " J.M. Verma
10. " N.R. Pandya
11. " J.C. Modi
12. " A.K. Elhance
13. " R.S. Panwar
14. " G.N. Rathwa
15. " B.M. Shaikh
16. " J.R. Rajput
17. " V.R. Patel
18. " I.S. Pandya

Respondents

(Original applicants)

Advocate

(BY CIRCULATION)

O R D E R

R.A. 40/94 in

O.A. 396/92

Date: 21.11.94

Per : Hon'ble Dr. R.K. Saxena, Judicial Member

This Review Application has been moved

challenging the correctness of the judgment dated 6.9.94, delivered in the open court, after hearing the counsel for the parties and in their presence. The recovery of defaulcated amount was ordered and made in certain cases without holding any enquiry. The charge-sheets had been framed and served on the delinquent employees subsequently.

Recovery of any amount, without holding an enquiry, may amount penalty and offends principle of natural justice.

Keeping these principles in view, the judgment was delivered. The review application does not indicate any new material or evidence which was not available, at the time of judgment required to be reviewed. The application, therefore, stands rejected.



(Dr. R. K. Saxena)
Member (J)



(K. Ramamoorthy)
Member (A)