

CENTRAL ADMINISTRATIVE TRIBUNAL

AHMEDABAD BENCH

O.A.NO. /289/1993

~~F.A.NO.~~

DATE OF DECISION 11.7.2000

Popat Siddik Petitioner

Mr. B.B.Gogia Advocate for the Petitioner [s]
Versus

Union of India & Others Respondent

Mr. N.S.Shevde Advocate for the Respondent [s]

CORAM

The Hon'ble Mr. V. Ramakrishnan, Vice Chairman

The Hon'ble Mr. A.S.Sanghavi, Member (J)

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 ? *✓*

Popat Siddik
aged 38 years, Occ.
Service
Address: At present c/o.
I.O.W. (C), W.Rly.
Kapadvanj, Dist. Kheda

Applicant

Advocate: Mr. B.B.Gogia-

Versus

1. Union of India
Owning and Representing
Western Railway
Through it's General Manager
Western Railway
Churchgate, Bombay.
2. The Dy.Chief Engineer (C)
North, Western Railway
Station Building
Ahmedabad.
3. The Executive Engineer (C)
North, Western Railway
Ahmedabad- 2.

Respondents-

Advocate: Mr. N.S.Shevde-

ORAL ORDER

IN

Dated 11.7.2000

O.A./289/1993

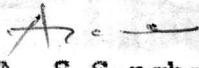
Per Hon'ble Mr. V. Ramakrishnan, Vice Chairman:


Mr. Gogia submits that the Railway Administration had taken inordinately long time to carry out the orders of the Tribunal in OA/358/1987 for ren-engagement of the applicant. According to him this was done because no back wages were awarded to the applicant and Railways took their own time to engage him. He states that there is Supreme Court's decision in the case of Kum. Sarita Thakur vs. Union of India (1994) SCC (L&S) 1014 saying that Union of India should have taken only reasonable time for re-engagement after the orders of the Tribunal. In the

light of the statement made by the Railways in para 7 these recovery applications have been filed before the Labour Court which are still pending. Mr. Gogia says that the applicant would like to pursue the matter before the Labour Court instead of before the Tribunal.

In the light of the submission of Mr. Gogia that he would like to pursue the remedies before the Labour Court, the applicant can seek remedies before the Labour Court as brought out by Mr. Gogia and not before this Tribunal.

O.A. is finally disposed of with no orders as to costs.


(A .S. Sanghavi)
Member (J)


(V. Ramakrishnan)
Vice Chairman

pmr

CA/~~TA~~/~~RA~~/CP/ 289/93 of ~~200~~

Papat Sidiik

APPLICANT (s)

VERSUS

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RESPONDENT (s)

I N D E X - S H E E T

[illegible]

Certified that the file is complete in all respects.

Signature of S.O. (J)

Signature of Dealing Hand.

01. Description of Document
Certified that the file is complete in all respects.

Signature of S.O.(U)
Signature of Dealing Hand.

01. Description of Document
Certified that the file is complete in all respects.

Signature of S.O.(U)
Signature of Dealing Hand.