

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

O.A. No. 418/93
T.A. No.

DATE OF DECISION 2-11-1993

Jyotikaben D. Kantharia Petitioner

Shri K.K. Shah Advocate for the Petitioner(s)

Versus

Union of India and others Respondent

Shri N.S. Shevde Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. N.B. Patel

Vice Chairman.

The Hon'ble Mr. V. Radhakrishnan

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.

Jyotikaben D. Kantharia
Controller of Stores
Western Railway, Freeland Gunj,
Dohad.

Applicant

Advocate Shri K.K. Shah

Versus

1. The Union of India
Notice to be served
through The General Manager
Western Railway, Churchgate,
Bombay.
2. Controller of Stores
Western Railway, Churchgate,
Bombay.
3. Chief Material Manager (E&G)
Western Railway, Churchgate,
Bombay.
4. District Controller of Stores
Western Railway, Freeland Gunj
Dahod.

Respondents

Advocate Shri N.S. Shevde.

ORAL JUDGEMENT

In

O.A. 418 of 1993

Date: 2-11-1993.

Per Hon'ble Shri N.B. Patel


Vice Chairman.

✓
The applicant is served with notice dated 26-7-93
requiring her to show cause as to why ^{she} ~~Shri Kantharia~~ should not
be reverted. It is stated by Mr. Shah that the applicant
has already filed reply to the show-cause notice on 10-8-1993.

...3...

The proceedings pursuant to the issuance of the show cause notice are still pending before the CMM (E&G) CCG and, meanwhile, the applicant has approached this Tribunal. The application is premature in the sense that the CMM (E&G) CCG has still not taken the final decision in the matter. However, Mr. Shah pointed out that the reply filed by the respondents in the present O.A. requires the applicant to raise some other contentions against her proposed reversion. In the circumstances, ^{the} applicant is directed to file additional reply, if so desired by her, to the show cause notice latest by 12-11-1993 and, if the applicant files such additional reply within the said stipulated period, the respondent no.3 is directed to consider all the points raised by the applicant in her reply dated ~~10-06~~ 1993 and points which she may raise in the additional reply and to pass speaking order in the matter within four weeks from the date of the receipt of the additional reply, if any, from the applicant. If the final decision which the respondent no.3 takes in the matter is adverse to the applicant, i.e. if she is shown below Mr. Rambaksh on the seniority list and if she is proposed to be reverted, such decision may not be implemented for a period of two weeks from the date of its communication to the applicant and the applicant may not be actually reverted during that period.

In view of these directions Mr., Shah, under the instruction of the applicant who is personally present before the Tribunal, seeks permission to withdraw the application with liberty to file a fresh application in the event of the applicant being aggrieved by the final decision that may be taken by the respondent no.3. Permission granted with liberty as prayed for. Application stands disposed of as withdrawn. No order as to costs.


(V. Radhakrishnan)
Member (A)


(N.B. Patel)
Vice Chairman.

*AS.

Date	Office Report	Order
20-12-1993		<p data-bbox="721 595 1224 633"><u>M.A. 678/93 in O.A. 418/93</u></p> <p data-bbox="704 691 1570 925">Heard Mr. Pathak for Mr. K.K. Shah. M.A. allowed. Time to comply with the directions issued in the judgement O.A. 418/93 extended till 9-2-1994. No order as to costs.</p> <div data-bbox="721 984 1533 1111"> <div> <p data-bbox="721 1032 1029 1111">(K. Ramamoorthy) Member (A)</p> </div> <div> <p data-bbox="1256 1032 1533 1111">(N.B. Patel) Vice Chairman.</p> </div> </div> <p data-bbox="721 1149 802 1186">*AS.</p>

Date	Office Report	Order
20-12-1993		<p data-bbox="722 600 1224 642"><u>M.A. 678/93 in O.A. 418/93</u></p> <p data-bbox="722 705 1565 931">Heard Mr. Pathak for Mr. K.K. Shah. M.A. allowed. Time to comply with the directions issued in the judgement O.A. 418/93 extended till 9-2-1994. No order as to costs.</p> <div data-bbox="722 1037 1516 1115"> <div>(K. Ramamoorthy) Member (A)</div> <div>(N.B. Patel) Vice Chairman.</div> </div> <p data-bbox="722 1152 794 1194">*AS.</p>

CENTRAL ADMINISTRATIVE TRIBUNAL

AHMEDABAD BENCH

AHMEDABAD

Application No. 00/418/93 of 199

Transfer Application No. _____ Old Writ Pet. NO. _____

C E R T I F I C A T E

Certified that no further action is required to be taken
and the case is fit for consignment to the Record Room (Decided).

Dated : 01/12/93

Counter signed :

[Signature]
2-12-93
27-12-93
Section Officer/Court Officer

[Signature]
Sign. of the Dealing Assistant.

Note Page 13 & 14
not traceable
31/3/94

CAUSE TITLE.....CA/418/93.....OF 198 ☐.

VERSUS

PART A B & C

[illegible]