

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

O.A. No. 703/93
T.A. No.

DATE OF DECISION 21-3-1994

Shri G.P. Chauhan Petitioner

Shri M.S. Trivedi 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.E. 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

Shri Gulabsing P Chauhan
2229, Kalia Beed
Bhagatipark Society
Bhavnagar 364 002.

Applicant

Advocate Shri M.S. Trivedi

Versus

1. Union of India through
The General Manager
Western Railway, Churchgate,
Bombay.
2. The Divisional Railway Manager
Office of D.R.M.
B.V.P., Bhavnagar.
3. Divisional Commercial Manager
Western Railway, Bhavnagar.

Respondents

Advocate Shri N.S. Shevde.

O R A L J U D G E M E N T

In

O.A. 703 of 1993

Date: 24-3-1994

Per Hon'ble Shri N.B. Patel

Vice Chairman.

It is stated that the applicant is convicted of an offence under Prevention of Corruption Act and his appeal against the said conviction is admitted and is likely to be decided within a period of about one month. It is further stated that after the conviction of the applicant, a notice requiring him to show cause as to why he should not be removed from service, on the basis of the conviction, is issued against him. The applicant urges that the

removal proceedings may not be proceeded with till the disposal of his appeal. On behalf of the applicant, it is ^{also} stated that, in his reply to the show-cause notice, ^{he has} accordingly urged the department not to proceed with the removal proceedings till the disposal of the appeal. The respondents are directed first to take decision on the question whether the removal proceedings are to be proceeded with before the disposal of the appeal by the High Court or whether they will be proceeding ~~ing~~ with after the disposal of the said appeal, if necessary. The respondents are directed to take decision on this aspect of the matter within a period of 15 days from the date of the receipt of a copy of this order and to communicate the same within a period of 7 days after the same is taken. If the decision is to proceed with the removal proceeding pending the disposal of the appeal before the High Court, the decision may not be implemented for ^{one} ~~a~~ week after it is taken, in the sense that the removal proceedings may not actually be resumed or started for about one week after the communication of the decision.

2. In view of these directions, Mr. Trivedi seeks permission to withdraw the O.A. at this stage. Permission granted. O.A. stands disposed of accordingly. No order as to costs.



(K. Ramamoorthy)
Member (A)



(N.E. Patel)
Vice Chairman.