

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
AHMEDABAD BENCH

O.A. No. 705/93  
T.A. No.

DATE OF DECISION 17-3-1994

Mr. Maganbhai L. Patel Petitioner

Mr. M.M. Xavier Advocate for the Petitioner(s)

Versus

Union of India and Others Respondent

Shri R.M. Vin Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. N.B. 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

Manganbhai L. Patel  
 Railway Medical Colony  
 Block No. 449/A  
 Near Railway Hospital  
 Bhavnagar Para 364 003

Applicant

Advocate Mr. M.M. Xavier

Versus

1. The Chairman  
 Railway Board, Rail Bhavan  
 New Delhi

2. The Union of India, Owing and  
 Representing W. Rly through its  
 General Manager, Western Railway  
 Churchgate, Bombay.

3. The Divisional Railway Manager,  
 Western Railway Bhavnagar Division  
 Bhavnagar, Para

Respondents

Advocate Mr. R.H. Vin

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

O.A. 705 of 1993

Date: 17-3-1994

Per Hon'ble Shri N.B. Patel

Vice Chairman.

The applicant has filed this application on ~~an~~  
 apprehension that the special pay which had been given to him  
 for rendering service on complex table for certain spells of  
 period~~s~~ may be recovered from him. If there is any proposal or  
 decision to recover the amounts paid to the applicant as  
 special pay for working on complex table, the respondents are  
 directed first to give a notice calling upon the applicant  
 to show cause as to why recovery should not be effected and

and to take decision on the question after giving sufficient opportunity to the applicant to put forward his case. If after giving such opportunity it is decided to make recovery of any amounts from the applicant, the decision may not be implemented for a period of 15 days after it is taken. The decision will be communicated to the applicant within a period of 7 days after it is taken. In view of these directions Mr. Xavier seeks permission to withdraw this application with liberty to file a fresh application in the event of the applicant being aggrieved by the order that may be passed in the matter. Permission granted with liberty as prayed for. O.A. stands disposed of accordingly. No order as to costs.

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(K. Ramamoorthy)  
Member (A)

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(N.B. Patel)  
Vice Chairman.

\*AS.