

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

O.A. No. 71 and 72 of 1993
T.A. No.

DATE OF DECISION 26-7-93

Shri B.M. Shrimali and Mr. B.Z. Shrimali Petitioner

Shri A.M. Raval Advocate for the Petitioner(s)

Versus

Union of India and Others Respondent

Shri D.C. Raval 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.

Bhikhhabhai Muljibhai Shrimali
 Barsukhray Kharod Co-op Hsg. Society
 Bhanwadi Gate,
 Viramgam, Dist. Ahmedabad.

Applicant

Advocate Mr. A.M. Raval

In O.A. 71/93

Versus

1. Union of India (Notice to
 be served through Secretary
 Ministry of Finance
 Revenue (Income tax) Department
 New Delhi

2. Chief Commissioner of
 Income Tax (Adm.)
 Ayakaar Bhavan, Ashram Road
 Ahmedabad.

Respondents in
 O.A. 71 of 1993

Advocate Shri D.C. Raval

Baldevbahi Zalabhai Shrimali
 Vankarvas, Mandal Tal, Viramgam
 Dist. Ahmedabad.

Applicant in
 O.A. 72/93

Advocate Shri A.M. Raval

Versus

Union of India
 Notice to be served
 through Secretary
 Ministry of Finance
 Revenue (Income Tax) Department
 New Delhi

Chief Commissioner of
 Income tax (Admn.)
 Ayakaar Bhavan, Ashram Raod
 Ahmedabad.

Respondents in O.A. 72/93

Advocate Shri D.C. Raval

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

In

O.A. 71 & 72 of 1993

Date: 26-7-1993.

Per Hon'ble Shri N.B. Patel

Vice Chairman.

Mr. A.M. Raval, on behalf of the applicants, and Mr. D.C. Raval, (holding brief of Mr. M.R. Bhatt) on behalf of the respondents, states that the facts of these two cases are similar, if not identical with, the facts in O.A. 318/88 and O.A. 319/88 and in the said two cases the impugned termination orders have been quashed and set aside by this Tribunal by its judgement dated 11-10-1991 which has been acquiesced in by the department. They, therefore, requests that for the same reasons the impugned termination orders, which are the subject-matters of the present two applications, may also be quashed and set aside for the same reasons. Hence, for the reasons stated in the judgement of this Tribunal in O.A. 318/88 and O.A. 319/88, with which we agree, the impugned termination order Annexure-3 in O.A. 71/93 and the impugned orders Annexure 3 and 4 in O.A. 72/93 are hereby quashed and set aside and the respective two applicants of the said two cases are ordered to be reinstated in service within a period of one month from the date of the receipt of a copy of this order by the respondents. The period between the date of termination of the service of the applicants and the date of their reinstatement is directed to be treated as service of the applicants for all ~~xxxx~~ purposes except in respect of back wages for the said period. In other words, the applicants held not are entitled to back-wages for the said period. Both the applications are allowed accordingly. No order as to costs.


(V. Radhakrishnan)
Member (A)


(N.B. Patel)
Vice Chairman.

CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH
AHMEDABAD.

Application No. 07/71/93 & 08/72/93 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 : 05/08/93

Countersigned : PSL

shehwan sagar
Section Officer/Court Officer

PSL
Sign. of the Dealing Assistant

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AT AHMEDABAD BENCH

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CAUSE TITLE 021-71/93 & 021-72/93 OF 19

NAMES OF THE PARTIES

VERSUS

PART A B & C