

IN THE CENTRAL ADMINISTRATIVE TRIAUNAL
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)

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

Applicant

In O.A. 71/93

Advocate Mr. A.M. Raval

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 (Admn.)
 Ayakaar Bhavan, Ashram Road
 Ahmedabad.

Respondents in
 O.A. 71 of 1993

Advocate Shri D.C. Raval

Baldevbhai 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

ORAL JUDGEMENT

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.

Sd/-
(V. Radhakrishnan)
Member (A)

Sd/-
(N.B. Patel)
Vice Chairman

CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH
AHMEDABAD.

Application No. 02/71 & 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 ift for consignment to the Record Room (Decided).

Dated : 04/08/93

Countersigned :

Section Officer/Court Officer

RSI
Sign. of the Dealing Assistant.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AT AHMEDABAD BENCH

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CAUSE TITLE DA 171/93 & DA 172/93 OF 19

NAMES OF THE PARTIES B. N. Shrimali & B. Z. Shrimali

VERSUS

U. of T. & O.S.

PART A B & C