

THE CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

O.A. No./722/93
T.A. No.

DATE OF DECISION 8th March, 1994

Mr. Vijaykumar Jayantilal Joshi Petitioner

Mr. B. B. Gogia Advocate for the Petitioner(s)

Versus

Union of India & others Respondent

Mr. Akil Kureshi 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

Shri Vijaykumar Jayantilal Joshi
T.B. No.2/12, Gondal Road, Rajkot.

Applicant.

Advocate Shri B.B. Gogia

Versus

1. Union of India
Through its Secretary
Telecom Department,
Government of India
New Delhi
2. Assistant Engineer (Switch Room)
Jubilee Baug Exchange.
Dept. of Telecommunications,
Rajkot.

Respondents.

Advocate Shri Akil Kureshi

ORAL JUDGEMENT

In

O.A. 722 of 1993

Date: 8-3-1994.

Per Hon'ble Shri N.B Patel

Vice Chairman.

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The applicant has filed this application challenging the order of removal passed against him by the Disciplinary Authority and confirmed by the Appellate Authority. The applicant has approached this Tribunal without preferring any Revision Application. Mr. Gogia states that, the applicant is prepared to prefer a Revision Application and will be satisfied, at this stage, if the competent authority is directed to entertain his Revision Application without raising any question of limitation

and to decide the Revision Application within a reasonably short period. He also submits that, in the event of the competent authority accepting the findings of the Disciplinary Authority and the Appellate Authority regarding the charge, the said authority may be directed to consider the question of punishment in a lenient way. In the circumstances, it is directed that if the applicant prefers a Revision Application addressed to the Member (P), Telecommunications Board, New Delhi, within a period of 15 days from today, the competent authority shall decide the same within a period of 6 weeks from the date of the receipt of ^{the} a Revision Application by him and will consider the same on merits of all the points that may be raised in the Revision Application including the point that the charge against the applicant is not proved. In the event of the competent authority coming to the conclusion that the charge against the applicant is proved, the said authority is directed to consider the question of punishment to be awarded to the applicant bearing in mind all relevant circumstances including the length of the services of the applicant, the nature of the delinquency charged against the applicant and the previous service record of the applicant. If the applicant is aggrieved by the order that may be passed by the competent authority in Revision, it will be open to him to file a fresh Original Application challenging the said

decision. In view of these directions, Mr. Gogia seeks permission to withdraw the O.A. Permission granted. O.A. stands disposed of as withdrawn with liberty as stated above. No order as to costs.



(K. Ramamoorthy)
Member (A)



(N. B. Patel)
Vice Chairman

AS**