

(5)

Central Administrative Tribunal,  
Cuttack Bench, Cuttack

Original Application No. 184 of 1990

Date of decision: July 9, 1992

Bhagabat Bishoyee

Applicant

Versus

Union of India and others Respondents

For the applicant

: M/s Devanand Misra,  
Deepak Misra,  
R.N.Naik, A.Deo,  
B.S.Tripathy,  
Advocates

For the Respondents

: Mr.A.K.Misra, St.Counsel(Central)

CORAM:

THE HONOURABLE MR. K.P.ACHARYA, VICE CHAIRMAN

AND

THE HONOURABLE MR. M.Y.PRIOLKAR, MEMBER (ADMINISTRATIVE)

....

1. Whether reporters of local papers may be allowed to see the judgment? Yes.
2. To be referred to the reporters or not?
3. Whether Their Lordships wish to see the fair copy of the Judgment? Yes.

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JUDGMENT

K.P.ACHARYA, V.C.

In this application under section 19 of the Administrative Tribunals Act, 1985, the petitioner prays for a direction to the Opposite Parties to pay the petitioner the allowance during the period he was put off from duty and back wages during the period from the date of removal till the date of reinstatement.

2. Shortly stated the case of the Petitioner is that he had been removed from service and had filed an application under section 19 of the Administrative Tribunals Act, 1985 for quashing the order of removal from service. This forms <sup>ed</sup> ~~an~~ subject matter of Original Application No. 448 of 1988. The Bench by its judgment dated 29th August, 1989 set aside the order of punishment and directed reinstatement of the petitioner and it was further ordered that the petitioner shall not be entitled to any back wages. Now this application has been filed with a prayer to grant backwages.

3. We have heard Mr. Deepak Misra learned Counsel for the petitioner and Mr. Aswini Kumar Misra learned Standing Counsel (CAT) for the Opposite Parties. Once the Bench has passed an order disentitling the petitioner for backwages, we do not like to take any view other than <sup>what has been taken in</sup> the judgment passed in OA 448 of 1988. Hence we find no merit in this application which stands dismissed. There would be no order as to costs.

*9.7.92*  
MEMBER (ADMINISTRATIVE)

*9.7.92*  
VICE CHAIRMAN

Central Administrative Tribunal,  
Cuttack Bench/9.7.92/K. Mohanty

