

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

NEW DELHI
NEW BOMBAY BENCH
CIRCUIT SITTINGS AT NAGPUR

~~Q.A. No.~~

198

T.A. No.

N-181/1987

DATE OF DECISION 22.6.1988Shri K.P.Vijayanan Menon

Petitioner

Shri A.S.Jaiswal

Advocate for the Petitioner(s)

Versus

Mr.M.S.Bindra & 3 Ors.

Respondent

Mr.S.K.Bhure, Superintendent

Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. B.C.Gadgil, Vice-Chairman,

The Hon'ble Mr. P.Srinivasan, Member(A).

1. Whether Reporters of local papers may be allowed to see the Judgement? - yes
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the Judgement? / no
4. Whether it needs to be circulated to other Benches of the Tribunal?

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT SITTINGS AT NAGPUR, NAGPUR

Transferred Application No. N-181/1987

Shri K.P. Vijayan Menon
Ramesh Chourasia Building
P.K. Salve Road
Mohan Nagar
Nagpur

Applicant

v/s.

1. Mr. M.S. Bindra
Collector of Customs and Excise
M.P. Collectorate
Manik Bagh Palace
Indore
2. Central Board of Excise and
Customs, through its Secretary
North Block, New Delhi
3. Union of India
through Secretary
Ministry of Finance
Department of Revenue
North Block
Sachivalaya
New Delhi
4. Mr. M.R. Parulekar
Collector
Central Excise and Cadre
Controlling Officer for M.P. &
Vidarbha, Nagpur Collectorate
Nagpur

Respondents

Coram : Hon 'ble Vice Chairman B C Gadgil
Hon 'ble Member(A) P. Srinivasan

Appearance:

Shri A.S. Jaiswal
Advocate
for the Applicant

ORAL JUDGMENT

Dated : 22.6.1988

(PER: B.C. Gadgil, Vice Chairman)

This application is fixed for hearing to-day.
Mr. A.S. Jaiswal is present and Mr. S.K. Bhure, Superin-
tendent (Legal) is present on behalf of the respondents.
The applicant has filed a written request for permission
to withdraw the application. That written request is
numbered as Miscellaneous Petition No. N-12/1988. The
reason is that in the application a challenge was made


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to the appointment of Mr. M.S. Bindra as a Disciplinary Authority. There was no stay in the proceedings. The enquiry has been completed and final order has been passed. The applicant had appealed and the appeal is dismissed. The applicant intends to file an application before the Tribunal challenging these orders. Mr. Jaiswal states that in the background of this position, the applicant may be permitted to withdraw the application with liberty to raise the contention in the application that is to be filed here after about the validity of appointment of Disciplinary Authority.

The Miscellaneous Petition is allowed.

The application (Tr.No.181/87) is disposed of as withdrawn with liberty to raise contentions in the proceedings that are to be filed here after about the validity of the appointment of Mr. M.S.Bindra as a Disciplinary Authority.

Parties to bear their own costs of this application.


(P. Srinivasan)
Member (A)


(B C Gadgil)
Vice Chairman