

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
NEW BOMBAY BENCH, NEW BOMBAY.

① . A (H) 237/87

Stamp Application No. 233/1987.

Shri Damodar Narayan Chole,  
Servants Quarter No. D II,  
Ordnance Factory, Bhandara,  
Maharashtra State.

... Applicant.

V/S

- 1) The Union of India,  
Through the Secretary,  
Ministry of Defence,  
New Delhi.
- 2) The General Manager,  
Ordnance Factory,  
Bhandara,  
Tahsil & Dist. Bhandara,  
Maharashtra State.

... Respondents.

Coram: Hon'ble Vice-Chairman, B.C. Gadgil.

Hon'ble Member(A), J.G. Rajadhyaksha.

Appearance:

Mr. M.V. Tahilani,  
Advocate  
for the applicant.

ORAL JUDGMENT:

(Per B.C. Gadgil, Vice-Chairman).


Date: 6.4.1987.

This matter was filed today and at the instance of the applicant's advocate Mr. M.V. Tahilani it is fixed on board for admission today itself.

2. The applicant was working as a Semi Skilled worker in the Ordnance Factory, Bhandara. A departmental enquiry was held against him for misconduct in the shape of consumption of alcohol while on duty. On the basis of the Enquiry Officer's report the Disciplinary Authority found that the applicant's misconduct was proved and he was removed from service by an Order dated the 21st March, 1987. The said order is at page 23 of the compilation. In pursuance thereof

the applicant has been removed from service w.e.f. 21.3.1987 A/N.

3. We have heard Mr. Tahlani for the applicant. The impugned order is appealable under the CCS (CCA) Rules. It is an admitted fact that the applicant has not filed any appeal. In view of the provision of Section 20 of the Administrative Tribunals Act, Mr. Tahlani makes the statement that he may be permitted to withdraw the application as the applicant would be filing an appeal against the impugned order and that he may be given liberty to file application in this Tribunal in case the applicant unfortunately fails in the said appeal. This request is reasonable. The application is, therefore, disposed of as withdrawn with liberty to file a fresh application if need arises in future. The spare copies of the application may be returned to the applicant.

  
( B.C. GADGIL )  
VICE-CHAIRMAN.

  
( J.G. RAJADHYAKSHA )  
MEMBER (A).