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CAT/J/12

# IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

NEW BOMBAY BENCH

~~O.A. No.~~

T.A. No. 248/87

198

DATE OF DECISION 10.7.1991

Madhav G. Kasture & 2 Others Petitioner

Shri V.G. Palshikar Advocate for the Petitioner(s)

Versus

Union of India & Others. Respondent


Shri P.S. Lambat Advocate for the Respondent(s)

CORAM

The Hon'ble Mr. U.C. SRIVASTAVA, VICE CHAIRMAN

The Hon'ble Mr. P.S. CHAUDHURI, 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 ?

  
( U.C. SRIVASTAVA )  
VICE CHAIRMAN.

(11)

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

CAMP AT NAGPUR

TR.APPLICATION NO.248/87.

1. Madhav Govind Kasture,  
Asstt. Catering Manager,  
Central Railway,  
Nagpur.
2. Ramdas T. Sukhdam,  
Assistant Manager,  
Central Railway,  
Wardha.
3. Vasant M. Tekam,  
Assistant Manager,  
Central Railway,  
Wardha.

.. Applicants.

V/s.

1. Divisional Railway Manager,  
Central Railway,  
Nagpur.
2. Divisional Commercial Superintendent,  
Central Railway,  
Nagpur.

CORAM : Hon'ble Justice Shri U.C. Srivastava, Vice Chairman.  
Hon'ble Shri **P. S. Chaudhuri**, Member (A).

Appearances:

Mr.V.G. Palshikar, Advocate  
for the applicants.

Mr.P.S. Lambat, Advocate  
for the Respondents.

ORAL JUDGMENT

DATED: 10.7.1991.

1 Per : Hon'ble Shri U.C. Srivastava, Vice Chairman 1

The applicants who were Assistant Catering Managers were held responsible for loss and shortages in the Catering Department of the railway administration and consequently they were penalised and an order was passed that 50% of salary will be deducted from their monthly salary. But in view of the interim order dated

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14.10.1982 only Rs.100/- per month were deducted. Years have passed and the entire amount has been recovered. In view of the fact that the entire amount has been recovered, there is no ground to interfere in the case and the application has become infructuous. The learned counsel of the applicants contended that recovery upto the extent of 50% cannot be made and the respondents should not do so in future. Obviously the contention of the learned counsel is correct because recovery to this extent is not warranted by law or rule. Consequently, that part of the order is bad but, in view of the facts stated earlier, no effective relief can be granted to the applicant. With the above observation the application is dismissed with no order as to costs.



( P.S. CHAUDHURI )  
MEMBER (A).



( U.C. SRIVASTAVA )  
VICE CHAIRMAN.