

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

9

O.A. NO: 348/87

199

T.A. NO: ----

DATE OF DECISION 8-7-1992

Hanmanta Sayappa and 9 Ors. Petitioners

Mr.G.S.Walia Advocate for the Petitioners

Versus

Union of India Respondent

Mr.J.G.Sawant Advocate for the Respondent(s)

CORAM:

The Hon'ble Mr. Justice S.K.Dhaon, Vice-Chairman

The Hon'ble ~~Mr.~~ Ms.Usha Savara, 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 ?

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(S.K.DHAON)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

O.A.348/87

Hanmanta Sayappa and 9 Ors. .. Applicants

vs.

1. Union of India
through
General Manager,
Central Railway,
Bombay V.T.
2. Divisional Railway Manager,
Central Railway,
Bombay V.T.
3. Asstt.Engineer(W),
Central Railway,
Byculla. .. Respondents

Coram: Hon'ble Shri Justice S.K.Dhaon
Vice-Chairman.

Hon'ble Ms.Usha Savara, Member(A)

Appearances:

1. Mr.G.S.Walia
Advocate for the
Applicants.
2. Mr.J.G.Sawant
Advocate for the
Respondents.

ORAL JUDGMENT: Date:8-7-1992
¶Per S.K.Dhaon, Vice-Chairman¶

On different dates separate but similar notices were sent to the applicants whereby they were called upon to explain within a specified time as to why their services should not be terminated. Thereafter the applicants approached this Tribunal by way of this application and also obtained an interim order staying further proceedings. Those interim orders ~~are~~ continue~~d~~ to operate even now.

2. Mr.Walia has contended that a close reading of the notice indicates that the authority concerned had made up its mind ~~to~~ to pass~~ed~~ an order terminating the services of the applicants and that is why it called upon them to showcause ~~as~~

against the proposed punishment. His contention is that such a procedure is not warranted by law and the relevant rules.

3. Mr. Sawant who appears on behalf of the respondents has very fairly stated that the applicants are under some mis apprehension. The notices were sent with a view to initiate disciplinary proceedings. He assured us that the authorities concerned will pass further orders, if necessary, after complying with the provisions of law and rules. In view of this statement, the grievance of the applicants does not survive.

4. With this observation the application is disposed of finally. The interim orders dated 12.5.1987 is vacated.

Usha Savara
(USHA SAVARA) 8.7.92.
Member(A)

S.K.D
(S.K.DHAON)
Vice-Chairman

MD.