

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW BOMBAY BENCH, NEW BOMBAY

T.A. No.10/86
T.A. No.137/87
T.A. No.166/87
Stamp No.143/86

(12)

Mr. R.D. Joshi
Station Master
South Central Railway
Meter Gauge,
Washim, Tahsil Washim,
District AKOLA

Applicant

V/s.

1. The General Manager
South Central Railway
Railway Nilayam
Secunderabad
(Andhra Pradesh)

2. The General Manager
Central Railway
Bombay V.T.
(Maharashtra State)

3. Mohan Ronald
Area Officer
South Central Railway
Central Office, Near Railway
Hospital, AT & PO. AKOLA
Dist. Akola.

4. The Union of India
through the General Manager
Central Railway
Bombay V.T.

Respondents

coram: Hon'ble Member(A) J G Rajadhyaksha
Hon'ble Member(J) M B Mujumdar

Appearance:

1. Mr. Kaloo
Advocate
for the applicant
2. Mr. P.M. Pradhan
Counsel
for South Central Railway.

TRIBUNAL'S ORDER

DATED: 24.3.1987

(PER: M B Mujumdar, Member(J))

Heard Mr. Kaloo, the Learned Advocate, for the
applicant and Mr. R.D. Joshi in all the above cases except
T.A. No. 166/87. Also heard Mr. P.M. Pradhan, Counsel for

South-Central Railway in all the above matters except
T.A. No. 166/87.

After hearing Mr. Kaloo and Mr. Pradhan and after perusing the papers we are passing the following orders:

T.A. No. 10/1986

Regular Civil Suit No. 201/84 filed by the applicant Mr. Joshi in the Court of Civil Judge Senior Division at Washim is transferred to this Tribunal and is numbered as Transferred Application No. 10/1986.

In that case the written statements are filed by all the Respondents.

Mr. Pradhan appears on behalf of South-Central Railway i.e., Respondents No. 1 and 3. Respondent no. 2 viz., General Manager, Central Railway, Bombay V.T. has filed written statement, but no-body has appeared on his behalf before us. So we direct that a notice should be issued to Respondent No. 2 returnable on 16.6.1987. Keep T.A. No. 10/86 on that day for directions.

The applicant need not remain present on that date.

T.A. No. 137/87

The applicant Mr. Joshi had filed writ petition no. 2062/84 in the High Court of Judicature Nagpur Bench and it is transferred to this Tribunal where it is numbered as Transferred Application No. 137/1987.

In this case all the Respondents have filed their written statements.

Mr. Pradhan appears for South-Central Railway i.e., Respondents no. 1 and 3. Nobody has appeared on behalf of Respondent No. 2, General Manager, Central Railway, Bombay VT. Hence we direct that a notice should be issued to Respondent No. 2. Keep this case on 16.6.87 for directions.

(W)

STAMP No. 143/1986

Stamp No. 143/1986 has been filed by the same applicant Mr. R.D. Joshi. The office has taken some objections and hence it is not numbered so far. The main objection is that the application is not in the prescribed form. It appears that the application was prepared with a view to file it in the High Court but it is filed before us in the same form. The applicant has given the necessary particulars separately. ^{in the prescribed form} We, therefore, direct that Stamp No. 143/1986 be numbered as it is.

We admit it.

In this case the Respondent No. 1 is Union of India and Respondent No. 2 is The General Manager, South Central Railway.

Mr. Pradhan waives notice on behalf of both the Respondents. We direct that the Respondents should file their reply on 16.6.1987.

Keep this case on that date for reply and directions.

T.A. No. 166/87

All India Station Masters Association has filed a Writ Petition No. 1958/84 in the High Court of Judicature at Nagpur Bench, ^{and} It is transferred to this Tribunal where it is numbered as Transferred Application No. 166/1987. The respondents in this case are (i) Divisional Manager, Central Railway, Nagpur, (ii) General Manager, Central Railway, Bombay V.T., (iii) The Union of India. Nobody has appeared on behalf of these Respondents.

We are told that Mr. P.N. ^{Chandurkar} ~~Shandekar~~ had appeared in the High Court on behalf of the Respondents.

One of the notices show that the High Court had

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passed an order on 26th September 1984 directing that this writ petition i.e., 1958/84 should be heard with writ petition No. 206/84. The latter is filed by Mr. R.D. Joshi and as already pointed out it is numbered here as T.A.No.137/87.

After hearing Mr. Kaloo, the Learned Advocate, for Mr. R.D. Joshi and Mr. P.M. Pradhan, we feel that it is not so necessary to hear both the writ petitions together. Moreover writ petition no. 1958/84 is not ready for hearing unlike other writ petition.

We, therefore, direct that T.A. No.166/87 and T.A. No. 137/87 need not be heard together.

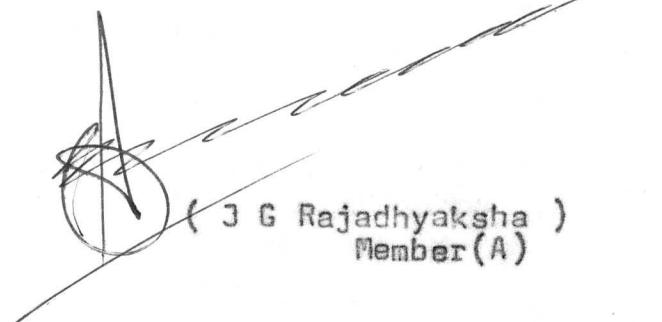
We further direct that notices should be issued to the Respondents in T.A. 166/87 as well as to their advocate Mr. P.N. Chandurkar who had appeared in the High Court, Nagpur Bench, to file replies on 15.5.1987. This case be kept on 15.5.87 for replies of the Respondents before the Registrar. The case, however, be kept before the Tribunal on 16.6.1987 for directions.

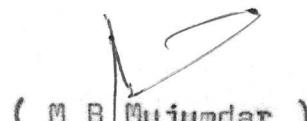
The applicants in the above matters need not be present on the dates given above.

A copy of the above order be kept in all the above matters.

Noticed at 20/4/87
on 20/4/87.

AB
20/4/87 -


(J G Rajadhyaksha)
Member (A)


(M B Mujumdar)
Member (J)