

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
NEW BOMBAY BENCH

Tr.Application No.410/87

Ramchandra Hanmayya Adval

.. Appellant

vs.

Union of India and Another

.. Respondents

Coram:Hon'ble Member(J)Shri M.B.Mujumdar

TRIBUNAL'S ORDER:

Date: 11-2-1988

Regular Civil Suit No.1077/1984

filed by the applicant in the Court of Civil Judge, Senior Division, Solapur is transferred to this Tribunal under Section 29 of the Administrative Tribunals Act, 1985. In the suit the applicant had filed an application at Ex.5 for temporary injunction for restraining the respondents from withholding the first class free passes which were due to him from January, 1984. After hearing both the sides the learned Civil Judge, Sr. Division, Solapur had rejected the application with a suggestion that if the applicant applies for passes, his application may be considered afresh sympathetically, bearing in mind that he is a retired employee. Against that order the applicant had preferred Misc. Civil Appeal No.127/1985 in the District Court at Solapur. That appeal is also transferred to this Tribunal.

2. <sup>By</sup> Vide Misc.Petition No.47/88 the applicant has requested that Misc.Civil Appeal No.127/85 be heard as expeditiously as possible and the respondents may be directed to grant him passes as prayed for by him.

3. The respondents have filed their written statement at Ex.20 when the suit was pending in the Civil Court at Solapur. Hence it appears that the suit is ready for hearing in all respects. I,therefore, feel that it would be proper to decide the suit as well as Misc.Appeal No.127/85 simultaneously. In fact the decision of the suit is bound to govern the decision of the appeal.

4. I,therefore, direct that the Regular Civil Suit No.1077/84 as well as Misc.Civil Appeal No.127/85 be fixed for final hearing on 7th of April,1988. Inform both the parties as well as their advocates on record accordingly.

*Notices issued to the applicant  
& all respondents on 17.3.88*

*Op-41 17.3.*

*Notice dt 17/3/88 served  
on applicant on 24/3/88.*

*24/3/88*

*(M.B. MISHRA)*  
Member(J)