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CAT/J/12

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
NEW DELHI

NEW BOMBAY BENCH

O.A. No. 495/88

198

~~R.A.X.X.X~~

DATE OF DECISION 30-8-1988

Ashok Narayan Gorkhe Petitioner

Shri M.A. Mahalle Advocate for the Petitioner(s)

Versus

The Secretary, Ministry of Water & Resources, New Delhi & 3 Ors. Respondent

- Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. P. Srinivasan, Member(A)

The Hon'ble Mr. M. B. Mujumdar, Member(J)

1. Whether Reporters of local papers may be allowed to see the Judgement? Yes
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the Judgement? } No
4. Whether it needs to be circulated to other Benches of the Tribunal?

(1)  
BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
NEW BOMBAY BENCH

O.A.495/88

Ashok Narayan Gorkhe,  
Senior Surveyor,  
Central Ground Water Board,  
State Unit Office, C-27/1,  
Devendra Nagar, Raipur (M.P.)

.. Applicant

vs.

1. The Secretary,  
Ministry of Water &  
Resources,  
Government of India,  
New Delhi.
  2. Chief Hydrogeologist &  
Member,  
Central Ground Water Board,  
NH-IV, Faridabad,  
Haryana.
  3. Director,  
Central Ground Water Board (C.R.),  
Nagpur, 21, Ramdas Peth,  
Nagpur.
  4. Shri P.S. Mishra  
(Inquiry Officer),  
Senior Hydrogeologist &  
Officer-in-charge,  
Central Ground Water Board,  
State Unit Office,  
33, Shrimali Society,  
Navrangpura,  
Ahmedabad - 380 009.
- .. Respondents

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

Appearance:

Shri M.A. Mahalle  
Advocate for the  
Applicant.

ORAL JUDGMENT

Date: 30-8-1988


(Per P. Srinivasan, Member (A))

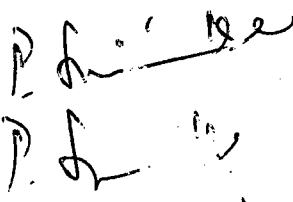
This application was listed for admission today. Shri M.A. Mahalle, learned counsel for the applicant submitted that an appeal filed by the applicant on 15-9-1987 against the impugned penalty order dtd. 27-7-1987 is pending with the Appellate Authority viz. the Secretary, Ministry of Water & Resources, Govt. of India, New Delhi. We feel that it would be better if the

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matter is considered by the Appellate Authority before it comes to us for decision because in that process the facts and issues of the case will <sup>become</sup> be crystalised.

We therefore consider it fit to direct the Appellate Authority, Respondent No.1, to dispose of the applicant's appeal as expeditiously as possible and in any case not later than three months from the date of receipt of this order. The Appellate Authority will give the applicant an opportunity of being heard and dispose of the appeal by a speaking order bearing in mind the decision of the Supreme Court in Ramchandra's case (1986 SLR(2)694)

The application is disposed of on the above terms at the admission stage itself. However, the applicant will have liberty to approach this Tribunal if the decision of the Appellate Authority goes against him.

  
(M.B. MUJUMDAR)  
Member(J)

  
(P. SRINIVASAN)  
Member(A)