

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

Tr. Application No.33/86

Misc.Application No.189/87.

Shri Ramdas Jairam Dadmal,
Village-post Bhadrawati,
District Chandrapur.

... Applicant

V/s.

1. Mr.S.S.Natarajan,
General Manager,
Ordnance Factory,
Chanda, Ministry of
Defence, Government of India.

2. Mr.S.C.Maji, Works Manager/
D.B.O. and Enquiry Officer,
Ordnance Factory Chanda,
Ministry of Defence, Govt. of
India,C/o. General Manager,
Ordnance Factory, Chanda.

... Respondents.

Coram: Hon'ble Vice-Chairman, Shri B.C.Gadgil,
Hon'ble Member(A), Shri L.H.A. Rego.

Oral Judgment:-

(Per Shri B.C.Gadgil, Vice-Chairman) Dated: 24.7.1987.

These two matters can be conveniently decided
by one single order.

2. The applicant was an employee working at the
Ordnance Factory, Chandrapur. A departmental enquiry was
started against him. The rules pertaining to the holding
of such departmental enquiries were amended. Prior to
the amendment, the delinquent was permitted to have
defence assistant from anywhere. The amendment
restricted the scope by providing that the defence
assistant should be either from the place where the
delinquent works or from the Head Quarters. The
applicant challenged the holding of the enquiry on
the ground that the amended rule would not be applicable
to him and that he would be entitled to have a defence
assistant from any place. It is for this purpose
that he filed Regular Civil Suit No.1/84 in the Court
of Civil Judge Senior Division, Chandrapur. In that

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