

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

Original Application No. 470 of 1986.

Shri Jayawant Ramchandra Kamat,  
C/o K.S.Gaonkar,  
27/131 Sindunagar, Nigdi,  
Pune - 411 044.

... Applicant.

V/s.

1) Union of India, through  
Under Secretary,  
Government of India,  
Ministry of Finance,  
Revenue Division,  
New Delhi.

2) Collector of Central Excise,  
Pune, P.M.C. Building,  
Tilak Road, Hirabag,  
Pune - 411 002.

... Respondents.



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

Tribunal's Order:

Dated: 31.03.1987.

Heard the applicant in person, and Mr. Desai, for  
Mr. M.I.Sethna Counsel for the Respondents.

The applicant had filed this application under  
Section 19 of the ~~Administrative~~ Administrative Tribunal Act, 1985  
for holding suspension order passed against him on 20.03.1985  
as invalid and treating the entire period of suspension as on  
duty. The ground given by him is that no charge-sheet is  
submitted against him for a long time, and hence no departmental  
enquiry is started against him.

But, now we are told by Mr. Desai that on 20.03.87,  
a charge-sheet was submitted against the applicant. The  
applicant admitted this to be correct. He has some grievance  
about the submission of the charge-sheet, against him alone,  
but ~~as~~ that grievance cannot be considered by us at this stage.

As the ~~was~~ charge-sheet is submitted against the  
applicant, we are not in a position to set aside the suspension  
order and to reinstate him on duty, as requested by him.

We, therefore, find that the application is premature.  
We, therefore, reject the application under Section 19(3)  
of the Administrative Tribunal Act, 1985.

*For, 1987*  
Composed by *Shri Jayawant Ramchandra Kamat*

True (copy)  
Bawali  
SECTION OFFICER  
CENTRAL ADMINISTRATIVE TRIBUNAL  
NEW BOMBAY BENCH,  
NEW BOMBAY 400 014