

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 ~~xx~~ that grievance cannot be considered by us at this stage.

As the ~~xxx~~ 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.

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Dated
SECTION OFFICER
CENTRAL ADMINISTRATIVE TRIBUNAL
NEW BOMBAY BENCH,
NEW BOMBAY 400 014