

(03)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW BOMBAY BENCH

O.A.202/89

Shri Chandreshekhar Madhukar Unkule,
C/o. Pratiraksha Mazdoor Sangh,
Quarter H/28/5, Ordnance Estate,
Ambarnath - 421 502.

.. Applicant

vs.

1. Union of India
through
The General Manager,
Machine Tool Prototype Factory,
Ambarnath.

2. Shri Manoranjan Roy,
Foreman MA 12,
Machine Tool Prototype Factory,
Ambarnath.

.. Respondents

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

Appearances:

1. Mr. D.V. Gangal
Advocate for the
Applicant.
2. Mr. V.K. Pradhan
(for Mr. P.M. Pradhan)
Advocate for the
Respondents.

ORAL JUDGMENT:
(Per M.B. Mujumdar, Member(J))

Date: 17.4.1989

Heard Mr. Gangal advocate for the applicant
and Mr. V.K. Pradhan (for Mr. P.M. Pradhan) advocate for the
respondents.

2. The applicant has challenged the order
dtd. 20th February, 1989 by which he is placed under
suspension. An appeal is provided against ^{an} the suspension ^{order}
by Rule 23(1) of the CCS(CCA) Rules. Admittedly the
applicant has not preferred an appeal. A chargesheet
was served on the applicant on 2.3.1989 while the appli-
cation was filed on 7.3.1989. We accept the say of the
Mr. Gangal that ~~at the time of~~ ^{drafting} ~~filing~~ the application
chargesheet was not served on the applicant. That is why
there is no reference in the application about the
chargesheet.

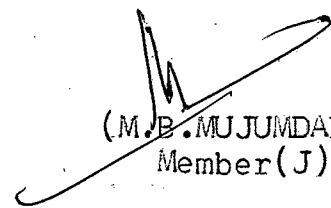
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3. We find that the application is premature because it is filed without preferring an appeal. At this stage Mr. Gangal requested for permission to withdraw the application with liberty to file fresh application in case of necessity. We allow the applicant to withdraw the application, with liberty to file a fresh application in respect of the same subject matter in case that becomes necessary.



(M.Y. PRIOLKAR)
Member(A)



(M.B. MUJUMDAR)
Member(J)