

CENTRAL ADMINISTRATIVE TRIBUNAL,

MUMBAI BENCH.

Original Application No.477/1996.

Coram: Hon'ble Shri B.S.Hegde, Member(J),
Hon'ble Shri P.P.Srivastava, Member(A).

Friday, the 2nd of August, 1996.

Mrs.Mumtaj Ilyas Khan,
Helper-Khalasi, Central
Railway at Divisional
Railway Manager, Office
Bhusaval.

... Applicant.

(By Advocate Shri K.B.Rajan)

v.

1. The Union of India
through the Divisional
Railway Manager,
Central Railway,
Bhusaval.
2. Senior D.M.E. (M),
under D.R.M. Office,
Bhusaval, Central
Railway,
Bhusaval.
3. A.M.E. (Ft.), Mr.P.P.Tiwari,
under DRM, Bhusaval,
Central Railway,
Bhusaval.
4. A.P.O.(M), Mr.Bhumkar,
under DRM, Bhusaval,
Central Railway,
Bhusaval.
5. CHC-II, Mr.B.S.Bagade,
Bungalow No.E-39,
DRM Office Area,
Central Railway,
Bhusaval.
(By Advocate Shri R.R.Shetty).

... Respondents.

...2.

ORDER

Per Shri B.S.Hegde, Member(J)

Heard Shri K.B.Rajan for the applicant and Respondents by Shri Ravi Shetty.

By way of interim relief the Respondents were restrained from passing final orders in terms of charge sheet dt. 25.4.1996, but that does not prevent them to complete the inquiry. In the circumstances, the applicant has approached this Tribunal before exhausting the departmental remedies. The Respondents are at liberty to pass a final penalty order. The applicant may prefer an appeal and thereafter he may approach the Tribunal, if so advised. The interim orders stand vacated. Keep for admission on 23.9.1996.

(P.F.SRIVASTAVA)
MEMBER(A)

(B.S.HEGDE)
MEMBER(J).

B.

Order/Document despatched
to Applicant/Respondent (A)
on 16/8/96

19/8/96

m.p. no 628/96
for amendment to
introduce ~~the~~
relevant document
in m.p. no 473/96
heard on 23.9.96.

c.p. no. 70/96
fixed for
order on 23.9.96

2
20/8

Reply of R No 1 to 4
to C.P. recd. on
23-9-96.

MS
25/9

Reply of R-No-1 to 4 to
C.P. m.p. No. 473/96
recd. on 23-9-96

MS
25/9

Reply of Respondent No. 1 to 4
to m.p. No. 628/96 recd. on
23-9-96.

MS

Reply of R No. 5 to
m.p. No. 628/96 recd.
on 1-11-96

MS
4/11

Amendment of the O.A.
crossed out and I
undertake to be given
to the Respondents
B. K. Rajan
Adv.

23/9/96-15

Heard Shri K.B. Rajan,
Counsel for Applicant
and Shri R.R. Shetty
for Respondents.

Counsel for Applicant
seeks time to file
rejoinder. Time
granted.

Adjourned to 11/11/96.

(P.P. Srivastava) (B.S. Hegde)
m(A) m(G)

alleg.

(6) 11.11.1996. m.p. 628/96.
c.p. 70/96.

Shri K.B. Rajan
for the applicant and
Shri R.R. Shetty for the
Respondents.

Applicant has filed
m.p. No. 628/96 seeking
amendment to the O.A.

m.p. No. 628/96 is
allowed. Amended copy of
the O.A. be given to
the Respondents' counsel.

Applicant has filed
c.p. No. 70/96.

The Tribunal's order
dated 17/5/1996 restraining
the respondents from
passing final orders in
terms of charge-sheet
dated 25/4/1996 has been
modified vide Tribunal's
order dated 2/8/1996 and

contd.