CENTRAL ADMINISTRATIVE TRIBUNAL
BENCH AT MUMBAI

ORIGINAL APPLICATION No. 612/1996, 613/96 and 617/96.

Date of Decision: 02.12.1996.

Shashikant G. Ghodke ...Petitioner in O.A. No. 612/96.
Vijay Kisan Jagtap ... Petitioner in O.A. No. 613/96.
Shrikant Ganpat Gaikwad ... Petitioner/s O.A. No. 617/96.

Shri S. P. Kulkarni, Advocate for the Petitioner/s

V/s.

Union Of India & Others Respondent/s

Shri V. S. Masurkar, Advocate for the Respondent/s

CORAM:

Hon'ble Shri B. S. Hegde, Member (J).

Hon'ble Shri P. P. Srivastava, Member (A).

(1) To be referred to the Reporter or not ? Y

(2) Whether it needs to be circulated to other Benches of the Tribunal ? N

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

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CENTRAL ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH

ORIGINAL APPLICATION NOS.: 612/96, 613/96 AND 617/96.

Dated, this Monday, the 2nd day of December, 1996.

CORAM : HON'BLE SHRI B. S. HEGDE, MEMBER (J).

HON'BLE SHRI P. P. SRIVASTAVA, MEMBER (A).

Shashikant Gajanan Ghodke Pritisangam Society, Sat Rasta, Solapur - 413 001.	...	Applicant in O.A. No. 612/96.
Vijay Kisan Jagtap, 230, Modikhana, At & P.O. Dist. Solapur. Pin Code : 413 001.	...	Applicant in O.A. No. 613/96.
Shrikant Ganpat Gaikwad, RB-II/7/67, Ganesh Hall, Colony, Solapur - 413 001.	...	Applicant in O.A. No. 617/96.

(By Advocate Shri S. P. Kulkarni).

VERSUS

Union Of India through 1) General Manager, Central Railway, Mumbai (C.S.T.). 2. Asstt. Commercial Manager, Divisional Railway Manager's Office, Central Railway, Solapur - 413 001. 3. Divisional Commercial Manager, Divisional Railway Manager's Office, Central Railway, Solapur - 413 001. 4. Divisional Railway Manager Divisional Railway Manager's office, Central Railway, Solapur - 413 001.	...	Respondents in O.A. Nos. 612/96, 613/96 and 617/96.

(By Advocate Shri V.S.Masurkar).

ORAL ORDER :

(PER.: SHRI B. S. HEGDE, MEMBER (J))

1. Heard Shri S. P. Kulkarni for the applicants and Shri V. S. Masurkar for the respondents and perused the pleadings.

2. The applicant in O.A. No. 612/96 has been suspended w.e.f. 12.05.1995 and the applicants in O.A. Nos. 613/96 and 617/96 have been suspended w.e.f. 31.05.1995. All the three O.As. have been filed on 01.07.1996. In these O.As. the applicants are seeking revocation of the suspension order or to put them on no-money transaction duty. However, on perusal of the records we find that the applicants have not preferred any appeal against the suspension order passed by the respondents.

3. The learned counsel for the respondents, submits that considering the gravity of offence and the number of witnesses, he cannot give an undertaking as to when the enquiry would be completed. The respondents have reviewed the suspension order passed by them and vide order dated 12.07.1996 the Disciplinary Authority has taken a decision to continue the suspension and subsistance allowance @ 75% of the pay and the request for revocation of the suspension order is rejected.

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4. In the light of the above, it is open to the applicants to prefer a statutory appeal to the competent authority seeking the very same relief, who may pass an appropriate order within a period of one month from the date of receipt of a copy of this order. The respondents are directed to complete the enquiry as early as possible.

5. The O.A. is admitted and disposed of at the admission stage itself with the above directions. There will be no order as to cost.

(P.P. SRIVASTAVA)
MEMBER (A).

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

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