

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION NO.69/2000.

Thursday, this the 22nd day of June, 2000.

Coram: Hon'ble Shri Justice R.G.Vaidyanatha, Vice-Chairman,

Bankelal Yadav,
119/3, Kherwadi,
Khar (E),
Mumbai - 400 050.
(By Advocate Mr.K.R.Yelwe)

... Applicant.

Vs.

1. Union of India through the
General Manager,
Western Railways, HQ,
Churchgate,
Mumbai - 400 020.
2. The Divisional Railway Manager (E),
Western Railways, Bombay Central,
Mumbai - 400 008.
3. The Chief Security Commissioner,
Railway Protection Force, Western
Railways Headquarters,
Churchgate,
Mumbai - 400 020.
4. The Staff Officer to the Chief
Security Commissioner,
Western Railways,
Headquarters,
Churchgate,
Mumbai - 400 020.
(By Advocate Mr.Suresh Kumar)

... Respondents.

: O R D E R (ORAL) :

(Per Shri Justice R.G.Vaidyanatha, Vice-Chairman)

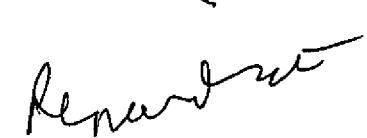
This is an application challenging any action that may be taken by the Respondents under the impugned Memos dt. 12.1.2000 and 21.1.2000. Both the Memos are issued to the applicant alleging that he has sublet the premises. When the matter was first placed before a Division Bench on 28.1.2000, no interim order was granted except stating that respondents may take any

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action in accordance with the Public Premises Act. It is now brought to my notice that respondents have already initiated action for eviction against the applicant under the Public Premises Act. It is now brought to my notice that respondents have already initiated action for eviction against the applicant under the Public Premises Act. It is also stated that the Competent Authority under that Act has already passed an order for eviction and the applicant has challenged the same before the City Civil Court and the order of the Competent Authority has already been stayed. It is open to the applicant to press all his contentions before the City Civil Court and in case any adverse order is passed, he can even approach the High Court under Article 226 of the Constitution. Hence, without prejudice to whatever action the applicant would like to take under the provisions of the Public Premises Act, the present OA has now become infructuous and hence it can be disposed of.

2. In the result, the application is disposed of subject to observations made above and without prejudice to the rights of the applicant to challenge the impugned orders according to law. No costs.


(R.G. VAIDYANATHA)
VICE-CHAIRMAN