

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

ORIGINAL APPLICATION NO.: 472 of 2000.

Dated this Thursday, the 20th day of June, 2002.

Shri S. P. Malegaonkar, Applicant.

Shri V. G. Pashte, Advocate for the
Applicant.

VERSUS

Union of India & Another, Respondents.

Shri V. D. Vadhavkar, Advocate for the
Respondents.

CORAM : Hon'ble Shri B. N. Bahadur, Member (A).

Hon'ble Shri S. L. Jain, Member (J).

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| (i) To be referred to the Reporter or not ?
(ii) Whether it needs to be circulated to other
Benches of the Tribunal ?
(iii) Library ? | } | No |
|--|---|----|

(S.L. JAIN)
MEMBER (J).

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Shri S. P. Malegaonkar,
Anand Sarita Co.Op. Housing Scty.,
Raghoba Shankar Road,
Chendani, Koliwada,
Thane (W) - 400 601.

... Applicant.

(By Advocate Shri V. G. Pashte).

VERSUS

1. Union of India through
The General Manager,
Central Railway,
C.S.T., Mumbai.

2. Chief Operating Manager,
Central Railway, C.S.T.,
Mumbai.

... Respondents.

(By Advocate Shri V. D. Vadhavkar)

O R D E R (ORAL)

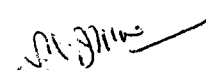
PER : Shri S. L. Jain, Member (J).

This is an application under Section 19 of the Administrative Tribunals Act, 1985, to hold and declare that the order of removal from service by the Disciplinary Authority from 10.08.1997 and order of Appellate Authority be quashed and set aside.

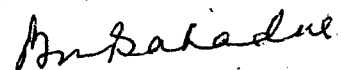
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2. During the course of hearing, the Learned Counsel for the Applicant also brought to our notice that an application is filed for review under Rule 25 A of Railway Servants (Discipline & Appeal) Rules, 1968 (Annexure 'F' pages 39-44 of the O.A.). We have perused the file of Disciplinary proceedings submitted by the Respondents and on perusal of the same we came across that the steps have been taken to decide the said review but yet the Respondents have not taken a final decision for the reason that the Applicant failed to comply the directions of the Reviewing Authority. It is not necessary for us to give any direction to the Applicant in respect of the review filed dated 02.08.1999. It is a matter between the Applicant and the Reviewing Authority.

3. As the review is pending, we direct the Respondents to decide the matter within three months from the date of receipt of the copy of this order. Even thereafter, if the applicant has any grievance, he is entitled to seek remedy as per law. The O.A. is disposed of with the above direction. No order as to costs.


(S. L. JAIN)
MEMBER (J)

OS*



(B. N. BAHADUR)
MEMBER (A).

dl-20/01/02

28/6/02

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