

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION NO.: 539/2000

Date of Decision : 27.11.2000

J.B.Paranjape Applicant.

Shri K.R.Yelwe Advocate for the
Applicant.

VERSUS

Union of India & Ors. Respondents.

Shri V.S.Masurkar Advocate for the
Respondents.

CORAM :

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

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

- (i) To be referred to the Reporter or not ?
- (ii) Whether it needs to be circulated to other
Benches of the Tribunal ?
- (iii) Library


(B.N.BAHADUR)
MEMBER (A)

mrj*

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH, MUMBAI

QA.NO.539/2000

Monday this the 27th day of November, 2000.

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

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

J.B.Paranjape,
Divisional Engineer (CC), Goregaon,
MTNL, Goregaon Telephone Exchange,
Mumbai.

... Applicant

By Advocate Shri K.R.Yelwe

V/S.

1. Union of India through
The Secretary,
Ministry of Communication,
Govt. of India,
Sanchar Bhawan, New Delhi.
2. The Chief General Manager,
MTNL, Prabhadevi, 15th Floor,
Dadar (W), Mumbai.

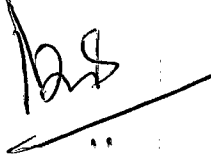
... Respondents

By Advocate Shri V.S.Masurkar

O R D E R (ORAL)

(Per: Shri B.N.Bahadur, Member (A))

Learned counsel Shri K.R.Yelwe is present for the Applicant, and submits that he may be provided some time, since he wishes to file an Amendment application. The cause of his wanting to file an amendment, he states is that M.T.N.L. has now passed an order (dated 10.10.2000) concluding the enquiry and imposing punishment on applicant.



..2/-

2. Learned counsel for the Respondents produces a copy of the aforesaid order and takes a point that since now a regular order is passed, the regular course of Appeal etc. should be followed.

3. We are unable to agree with the contention and prayer made by the counsel for the Applicant to the effect that he should be allowed to file an amendment impugning the penalty order, *at this stage. BNB* The matter relating to his earlier prayer which was made before this order was passed cannot be just pursued now merely by taking advantage of the passing of the penalty order.

4. The Applicant will now have to take recourse to the rules applicable to him and go in statutory appeal provided. This will afford him full opportunity of redressal of grievance before the Administration, first.

5. We are, therefore, not commenting on any of the grounds on merits taken in the OA. However, with the above observations, we dispose of this OA. In case he is aggrieved by the order in Appeal, he will be at liberty to approach this Tribunal, as per law.

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

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