

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION NO.: 615/2000

Date of Decision : 8.9.2000

S.R. Bhingardive Applicant.

Ms.N.Gohad for
Shri S.P.Saxena Advocate for the
Applicant.

VERSUS

Union of India & Others, Respondents.

Shri R.R.Shetty for
Shri R.K.Shetty 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

OA.NO.615/2000

Friday this the 8th day of September, 2000.

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

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

S.R.Bhingardive,
Ex-Watchman Coy Office,
Armed Forces Medical College,
Pune.

... Applicant

By Advocate Ms.N.Gohad
for Shri S.P.Saxena

V/S.

1. Union of India
through the Secretary,
Ministry of Defence,
New Delhi.

2. The Director General of
Armed Forces, Medical Services,
'M' Block, Ministry of Defence,
New Delhi.

3. The Commandant,
A.F.M.C. Pune.

4. The Estate Officer,
Station Headquarters,
Pune.

5. The Commandant,
Headquarter,
Pune Sub-Area,
Pune.

... Respondents

By Advocate Shri R.R.Shetty
for Shri R.K.Shetty

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O R D E R (ORAL)

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

Learned counsel on both sides are heard in the matter. Since the relief sought is very simple, this matter is being considered and disposed of at the stage of admission itself.

2. The relief sought is for a direction to Respondents that the statutory appeal made by the applicant against the penalty order should be decided within some time limit. Another relief sought is that the Respondents should be directed not to evict the applicant from his official quarters till the decision of appellate authority is communicated to the Applicant, and two weeks thereafter.

3. The request indeed is very simple and justifiable and we see no objection in allowing this OA. There is no objection from the learned counsel appearing for respondents, although he did object to the additional time of two weeks asked for beyond the date of decision.

4. After considering all the facts and circumstances, this OA. is allowed as per the reliefs sought at paras 8 (b) & (c). The respondents shall decide the Appeal within a period of three months from the date of receipt of a copy of this order and shall not evict the Applicant from official quarters till the decision on his appeal is communicated to the Applicant, and for two weeks

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thereafter. Depending on the decision taken, the respondents shall at liberty to charge the rent for the accommodation allotted as per rules after the decision. The Applicant shall continue to pay normal rent till the decision on his Appeal. OA. is disposed of accordingly. There will be no orders as to costs.

S.L.Jain
(S.L.JAIN)

MEMBER (J)

B.N.Bahadur
(B.N.BAHADUR)

MEMBER (A)

mrj.