

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH MUMBAI

ORIGINAL APPLICATION NO: 691/2000

DATE OF DECISION: 16.3.2001

Shri Kamalshing P. Rawat Applicant.

Shri K.B. Talreja Advocate for
Applicant.

Versus

Union of India and others. Respondents.

Shri V.S. Masurkar Advocate for
Respondents

CORAM

Hon'ble Shri S.L.Jain, Member(J)
Hon'ble Ms. Shanta Shastry, Member (A)

- (1) To be referred to the Reporter or not? *No*
- (2) Whether it needs to be circulated to other Benches of the Tribunal? *No*
- (3) Library. *No*

S.L. Jain
(S.L. Jain)
Member(J)

NS

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION NO: 691/2000

FRIDAY the 16th day of MARCH, 2001

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

Hon'ble Ms. Shanta Shastry, Member(A)

Kamalsingh P. Rawat
R/o Joshi Chawal,
Room No. 5,
Shiv Tekadi Cuffa Road,
Jogeshwari(E), Mumbai.

...Applicant.

By Advocate Shri K.B. Talreja

V/s

1. The Union of India through
the General Manager,
Central Railway, Mumbai CST.
2. The Divisional Railway Manager
Central Railway, Mumbai, CST
3. The Deputy Chief Mechanical
Engineer, Parel, Mumbai.

...Respondents.

By Advocate Shri V.S. Masurkar.

ORDER(ORAL)

{Per Shri S.L. Jain, Member (J)}

The applicant in the OA has sought the relief to allow him to resume the duties as their action of oral disallowing him to deny him work and also the wages is arbitrary and contrary to Article 21 of the Constitution of India alongwith a direction to allow the applicant the wages for the period he has not been allowed to work.

J.S. Masurkar

2. After filing the OA the applicant's service has been terminated, which is a subsequent cause of action. If the proposed amendment is allowed, it would change the nature of the claim sought for in the ^{O.A.} ~~()~~ The M.P. deserves to be rejected and is rejected accordingly.

3. The learned counsel for the applicant states that he wants to withdraw the OA with liberty to file fresh OA. Prayer is allowed. Applicant may file fresh OA for all the reliefs which are contained in OA as well as the subsequent cause of action, provided they are within limitation. The OA is disposed of as withdrawn.

Shanta Shastry
(Ms. Shanta Shastry)
Member(A)

S.L. Jain
(S.L. Jain)
Member(J)

NS