

(3)
CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

O.A.No.884/2001

Dated this Tuesday the 18th Day of December, 2001

Hon'ble Shri Justice B.N. Singh Neelām, Vice Chairman
Hon'ble Smt. Shanta Shastri, Member (A).

Shri Ram Pal Singh,
residing at Sai Mahima Apartment,
3rd Floor, Navghar Road,
Bhayandar (East).

... Applicant.

(By Advocate Shri K.P. Pandey)

Versus

1. Union of India,
through its Secretary,
Ministry of Communication,
Department of Telecommunication,
Government of India, Ashoka Road,
Sanchar Bhavan, New Delhi-1.

2. Chief General Manager,
Mahanagar Telephone Nigam Ltd.,
Prabhadevi, Telephone House,
Mumbai.

... Respondents

ORDER (ORAL)

{ Per : Justice B.N. Singh Neelam, Vice Chairman }

This O.A. was filed with a prayer to cancel the suspension order against the applicant and to declare same as illegal, malafide, improper, bad in law on the grounds mentioned in the petition. All points so taken are good grounds for admission and pressed into service.

2. By looking into the record it transpires that the applicant had also preferred an appeal for revocation of suspension before the Member Services, Telecom. Commission, Department of Telecommunications,

...2...

Sanchar Bhavan, New Delhi-110 001 which is still pending.

It is also pointed out that it has been incorporated in the said memo of appeal with regard to charge sheet already submitted hence having no chance in any way to go with the evidence. During the course of arguments however in all fairness, the Learned Counsel for the applicant ^{by conceding that} is concerned if a direction is so given to the concerned as to dispose of the said appeal so preferred which is kept pending within a stipulated time by passing a speaking order, ^{it will suffice the purpose}

3. In the background and facts discussed above, we are of the considered opinion that the matter can well be disposed of at this stage with a direction to the concerned respondents before whom the appeal is pending ^{is} to dispose of the same within a stipulated time. Taking that view, the concerned respondents are hereby directed as to dispose off the appeal so pending being preferred for revocation of suspension within 30 days from the date of receipt of copy of this order by passing a speaking and reasoned order. With the above direction and observations, ^{in any way} without however entering into the merits of the case, the present O.A. so filed ^{stands} disposed off, with no order as to costs.

Smt. Shanta Shastri
(Smt. Shanta Shastri)
Member (A)

B.N. Singh Neelam
(B.N. Singh Neelam)
Vice Chairman.

CENTRAL ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH : MUMBAI

R.P.No.: 41 of 2002.
(Arising out of O.A.No. 884/2001)

(Patna, this Thursday, the 5th Day of December 2002).

C O R A M

Hon'ble Mr. Justice B.N.Singh Neelam, Vice-Chairman.

Shri Ram Pal Singh, residing at Sai Mahima Apartments, 3rd Floor, Navghar Road, Bhayandar (East), Thane.....APPLICANT.

By Advocate :- N o n e

Vs.

1. Union of India through its the Secretary, Ministry of Communication, Department of Telecommunication, Govt. of India, Ashoka Road, Sanchar Bhavan, New Delhi-1.
2. Chief General Manager, Mahanagar Telephone Nigam Limited, Prabhadevi, Telephone House, Mumbai.RESPONDENTS.

By Advocate :- N o n e

ORDERS BY CIRCULATION

Justice B.N.Singh Neelam, V.C.:- This R.A. is so preferred by the respondents of O.A. No. 884 of 2001, so disposed of on 18th December, 2001, by C.A.T., Mumbai Bench, under the provisions of Rule 49 of the Central Administrative Tribunal Practice Rule, 1993, and the R.A. thus, is sent to this Bench for orders by circulation by transmitting the original record of the R.A., with that of the main O.A. 884 of 2001, and one Misc. Application also so filed in this regard for condonation of delay on behalf of the respondents of the OA in preferring R.A. on the grounds mentioned in the petition. Reference is also made to Appendix-IV of the R.A. Rule 1(1)/II(a).

2. The operative portion of the orders so passed in the said O.A. is detailed in R.A. and it is averred therein that at the admission stage itself the said OA was so disposed of with a direction to the concerned respondent to dispose of the appeal so pending being preferred for revocation of suspension of the applicant within 30 days from the date of receipt of the copy of the said order by passing a speaking

4. After perusal of the record, I am convinced that this matter can well be disposed of by circulation and there is no question of posting the matter for any preliminary hearing. True it is inadvertently patent factual error has occurred in para-2 of the orders so passed in OA 884 of 2001 and it will meet the ends of justice if at line 3 of para 2 of the orders so passed in OA 884 of 2001 starting from (".....before the Member (Service) Telecom Commission, Department of Telecommunication, Sanchar Bhavan, New Delhi-110 001) stands deleted and it so stands deleted as per the prayer so made and to that extent only the orders so passed in the said O.A. 884 of 2001 stands modified. Since it is found that the matter can well be disposed of by circulation, *Let* this matter now be placed before Hon'ble Smt. Shanta Shastri, Member (A), *for consideration &* for needful.

(B.N. Singh Neelam)
Vice Chairman
5.12.02

I agree.

Shanta S

Order/Document despatched
to Appellant/Respondent (s)
on

21/3/03