

LIST OF INDEX

Shri S S malewar,
Nagpur (Shri Sudam)
MS

LIST OF PAPERS IN O.A. / I.A. NO. 917

OF 1990

S E R I Y & AND
(Shri P S Lambat)

PART	SERIAL NO. OF PAPERS ON RECORD	DATE OF PAPER / FILING	DESCRIPTION OF PAPER	CSH P S (Shri P S Lambat)
I	1	-	Per TO	
	11	1-10-90	TO	
	11	12-10-90	TO	
2	29-10-90		Per TO	
2-3	12-11-90		TO	
3	15-1-91		Registrar order	
4	28-2-91		Registrar order	
	1-4-91		—	
	7-6-91		—	
5	26-7-91		By Registrar order	
6	25-9-91		TO	
	20-1-92		Per TO	
	9-3-92		TO	
	11-3-92		Per TO	
7	12-3-92		TO	
	18-6-92		Per TO	
8	16-7-92		TO	
	15-9-92		Per TO	
	3-11-92		—	
	19-1-93		—	
9	17-3-93		—	
	17-11-93		—	
	24-2-94		—	
10	19-4-94		Final Judgment by Hon'ble Shri M. S. Deshpande v. & Hon'ble M. (AD) Shri M. R. Kolhatkar	

II - List of index enclosed

III 1-2 1-10-90 Notice send to all Respondents

3 9-10-90 Vakalatnam filed by Shri P. S Lambat Adv for Applicant

4-5 29-10-90 Scrutiny sheet

6 16-11-90 To dt 12-10-90 send to Applicant & all Respondents

7-8 23-12-91 Notices to Applicant & all Respondents

9. 19-11-93 Notices are send to Applicant & all Respondents

10. 28-2-94 Notices are send to Applicant & all Respondents

11. 9-6-94 Forwarding copy of Judgment dt 19-4-94 send to the Both the counsel

N Smiti
17-12-02

FORM - I

(See Rule - 4)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

NEW BOMBAY BENCH

Stamp Application No. 1990Original Application No. 717 / 1990APPLICATION UNDER SECTION 19 OF ADMINISTRATIVE
TRIBUNALS ACT, 1985TITLE OF THE CASE:- Suhas Sadashiv Malewai

- Versus -

Divisional Railway Manager, South
Eastern Railway, Nagpur.FOR USE IN TRIBUNALS OFFICE

Received by hand/ post

Date of filing _____

Stamp Application No. _____

FOR REGISTRARUndertakingI undertake to remove all
office objections and serve Respondent.Mohan Sundar
Advocati.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, NEW BOMBAY BENCH

OA No. 717 /1990

TITLE OF THE CASE:- Suhas Sadashiv Malawar

- Versus -

Divisional Railway Manager, South
Eastern Railway, Nagpur.

I N D E X

Part II

S.No.	Description	Annex.	Page
1.	Application under Section 19 of the Administrative Tribunal Act 1985.		1- 13
2.	Copy of order of promotion to PWI Gr.I dated 10-10-86.	I	14-18
3.	Copy of order of reversion dated 6-9-90.	II	19 - 20
4.	Copy of Establishment Sr. No.55/ 72.	III	21 - 22
5.	Copy of Judgment in the case of Aparty Vs. Union of India.	IV	23 - 27
6.	Copy of Judgment in the case of G.V. Swamy Vs. Union of India.	V	28 - 31
7.	Copy of Judgment dated 30-1-87 of the Calcutta Bench in Mohini Mohan Dutta Vs. Union of India.	VI	32 - 37
8.	Copy of letter dated 8-6-88 from respondent not to revert such employees.	VII	38 - 39

NAGPUR,

Date: 17-9-1990


APPLICANT

Central Administrative Tribunal, N.W. Bombay Bench
Received application on 17/9/90.
By Hand / Post
Stamp No 609190
28/9/90
For Registrar

1) Reply of the Respondents
on 23.7.91 1-6

2) Rejoinder of the Applicant
on 8.9.91 1-7

3) MP 758191 for early hearing 1-2
on 12.9.91

INDEX OF PROCEEDINGS

1. Date of filing:
2. Date of the orders passed by Tribunal:

3. Filing of reply:

Counter :

R.A. :

4. Filing of M.P. :

C.C.P. :

2

5. Filing of Memo of Appearance

Name :

Date :

Vakalatnama

Name :

Date:

6. Report of Deputy Registrar (J)

Pleadings are complete and
case ready for hearing.

Date:

Deputy Registrar.

1

1

Office Notes, Office
Membrandum, of Coram
Appearance, Tribunal's
Orders of direction &
Registrar's Orders

Tribunal's Orders.

Stamp No. 615120

Per Tribunal

Fixed for urgent Circulation for Admission
Hearing and Interim Relief on 1.10.90

rely
Deputy Registrar

Dated: 1.10.1990

Mr. Sudarshan, appears for the Applicant,
issue notice to the Respondents,
returnable by 12 the October 1990
for Admission and interim Relief,
at Nagpur circuit ~~Setting~~ DASTI

DKA

(D.K. Agrawal)

M(J)

(M.Y. Pradhan)

M(A)

Notices are issued
to the all Respondents
on Oct 1-10-90

NED

4-10-90

Dated: 12/10/90. Camp at Nagpur.

Applicant by MR. M.M. Sudarshan.
Respondents by MR. P.S. Lambat.
Call for orders on admission
and interim relief at New Bombay
on 29/10/90. The Respondents shall
take adequate steps to be
represented at New Bombay on
that date.

(S. Pradhan) (P.S. Chaudhuri)
M(A)
(MCT)

2
Reply at 26/10/90
and then the respective
in the file.

26/10/90
Co.

(D)

Dr. T. S. D.

Date:

29/10/90

Applicant in person by Mr. Y. R. Singh.
AC/Adv/Re. by Mr. R. S. Gajbhiye Sr. Clerk
C/o O/o DRM C.R.C. Nagpur
No bench is functioning today
The matter adjourned to 12/11/90
for hearing a return notice.

By Registrar

RB

Date: 12.11.90

Applicant by
Mr. Yusuf Singh holding the
brief of Mr. M. M. Dukerwala.
Mr. D. S. Billone, Clerk, in the
Respondents' Nagpur office is
present.

Respondents have filed
their reply ~~offer~~ opposing
interim relief in which they
have pointed out that
the applicant has already
joined his new post in
reverior. Mr. Singh is not
in a position to confirm
that the applicant has
joined the lower post,
but we see no reason to
interfere in the matter
at this stage. Hence the
request for interim relief is
rejected.

Contd.

(3)

Mr. Singh submits that

this matter is connected with
O.A. 483/90 and that the
two cases may be heardtogether. In view of this position
the matter is admitted and the
respondents may file their
reply in this application viz.

O.A. 717/90 also by 15.1.91.

Call both the matters
before the Registrar on that
date for directions. A copy of
this order be kept on OA 483/90.order dt 12/11/90
despatched to A/R
on 16-11-90~~filed~~
19/11/90Order dtd 12-11-90
Served on Applicant on
dt 24-11-90 at R.2, m
dd. 26-11-90Order dtd 12-11-90
Served on P-1 on
dd. 26-11-90

27/11/90

P. S. Chaudhuri
(N. DHARMADAN) (P. S. CHAUDHURI)
M(J) M(A)OA 717/90Date: 15.1.91.Mr. Y.R. Singh for Mr.
M.M. Sudame, Advocate for the
Applicant.Nobody is present on
behalf of Respondents.Adjourned to 28.2.91
for reply and further directions.Registrar.

OA 717/90

Date: 28.2.91

Mr. Y.R. Singh for Mr.
M.M. Sudame, Advocate for the
Applicant.

Nobody is present on
behalf of Respondents.

Adjourned to 1.4.91
for reply and further directions.


Registrar.

OA 717/90

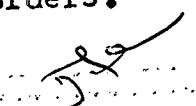
Date: 1.4.91

Mr. Y.R. Singh for Mr. M.M.
Sudame Advocate for the Applicant.

Mr. S.L. Madrewala, HC
SE Rly, Nagpur is present on
behalf of Respondents.

Mr. Madrewala prays to grant
time for filing reply.

Adjourned to 7.6.91 for
reply and further directions as
a last chance, failing which the
matter will be placed before the
Tribunal for further orders.


Registrar.

O.A. 717/90

Date: 7.6.1991

Mr. Y.R. Singh, Advocate for
Mr. M.M. Sudame, Advocate for applicant,
P.S. Bhillore, Jr. Clerk from D.P.O.
office for all respondents.

Mr. Bhillore prays for some
more time to file the reply

Adjourned the matter on
26.7.1991 for reply and directions.


Registrar.

(3)

11

OA 717/90

Dated: 26.7.91

Mr. Y.R. Singh for Mr. M.M. Sudame advocate for the applicant.

Mr. S.L. Madnewala, O.S. DRM office Nagpur is present on behalf of respondents.

Mr. Madnewala has filed reply today on behalf of respondents and has served copy of the reply on the advocate Mr. Y.R. Singh today.

The Hon'ble Tribunal by order dated 12.11.90 has directed that connected matter namely OA 483/90 may be heard together. On perusal of OA 483/90 it is found that the reply has been filed in the matter and the matter has been kept on the Sine. die list. Similarly this matter also be kept on Sine. die list. As and when the matter is fixed for final hearing both these matters should be placed together.

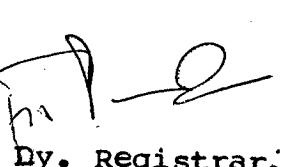
Since the reply of the respondents has been filed in the matter, the matter has become ready for hearing. However it is not possible to fix hearing date in the near future on account of other old pending matters. This matter is, therefore, kept on sine. die list.

Mr. Madnewala says that at the time of fixing the date of final hearing notice may be issued to respondent No. 2. Notice may also be issued to the applicant.

Copy of the order dated 12.11.90 passed in OA 717 may be kept in OA 483/90. ~~xxxxxx~~ as directed. Also today's order.

This has been done
place

30/7/91


Dy. Registrar.

Rejoined from
the application on
13/9/91 by hand
in duplcate.

Re
24/9.

VIP No. 758/91 for
early hearing,
fixed on 25.9.91

886
24.9.91

Rejoined from
application 13/9/91
by hand in duplcate

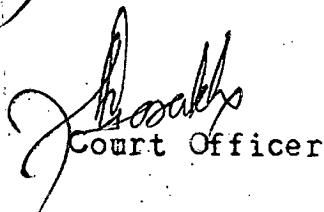
Re
16/12

Notice is issued to
Applicant on 23/12/91
Respondent

Re
23/12/91

Per Tribunal Dated 20.1.92

As Division bench is not
functioning during 20.1.92 to
24.1.92 at Nagpur. The matter is
adjourned to 09.03.1992
for final hearing at Nagpur.


Court Officer

Dated: 9.3.92

Applicant by Mr. Sudame.
Resps. by Mr. P.S. Lambat.
At the request of Mr.
Lambat adjourned to 11.3.92.

(M.Y. Patil) (A.C. Bhatkara)
M(A) V/C

Re
12/12/91 P.T

11/3/92

Both Counsel present
by Consent the matter
adjourned to 12/3/92
final hearing

Re
M.B.

(7)

Date: 12.3.92

Camp at Nagpur

Mr. Mohan Sundane for
the applicant and Mr. P. S. Lambat for
the respondents.

This case may be kept
with O.A. 483/90.

Notice dt. 23/12/91
Served on Applicand Resp.,
on 28/12/91.

Adjourned to 18.6.92.

~~Mr. H. Y. Patel & Kav.~~
(H. Y. Patel & Kav.)
M.C.A.

~~Mr. C. S. Sircar~~
v.c.

Per Tribunal Date: 18.6.92.

As no Circuit Bench is
functioning during 15.6.92
to 19.6.92 at Nagpur.

Hence, the matter is
adjourned to 16/7/92
for F.H. with O.A. 483/90.

DRPM
For Court Officer

PT

Dated: 16.7.92

⑧

Mr. Mohan Sudane for the applicant
is present

Mr. P. S. Lambat, counsel for the
respondents is also present.

This application is cognizable
by a single Member Bench.
List before a Single Member
Bench on 15.9.92

b.p.
CUSA SWARAJ CSK DIBOMY
MA ^{My}
~~VIC~~

15/9/92 PT adjourned

Mr. M. M. Sudane adv for the
applicant. Mr. P. S. Lambat
adv. for the respondents.
Per want of time, adjourned
3/11/92 for final hearing with
date to 1.9.93

26

20

Per Tribunal

Dated 3.11.92

As Division Bench is not functioning
during 2.11.92 to 6.11.92 at Nagpur.
The matter is adjourned to 19.1.93
for final hearing at Nagpur.



For Court Officer

PER TRIBUNAL

Date: 19.1.93

Applicant in person/by Mr. MM Sudane Advocate

Respondent by Mr. P. S. Lambat Counsel

For want of time/By ~~consent~~ by Mr.

The matter is adjourned to ~~16.11.92~~

A/H/CDL. 1st HEARING at Nagpur with 7.53/1993

17.3.93

8.00 20/11/93

Dy. Registrar

(9) PT 1713193.

By consent so to 16/6/93
for hearing with. 08483/93

SOMY
CO

P.F.

PT 17/11/93

Keep this case at my place in the
first week of Jan 1994 for final hearing.
To be heard alongwith case 483/93.
Inform the claimants & respondents accordingly
ref
so

Notices issued to both
sides on 19/11/93.

25/11

PER TRIBUNAL

24/12/94

As per direction of the
Hon'ble Vice Chairman dated
24.8.93, the matter is taken
up from Sine-die List. Fixed
for Final Hearing on 12/4/94
Issue notices to the parties
as per order dated 26/12/93

SOMY
COURT OFFICER

Notices issued to
Applicant/Respondents on 28/12/94.

27/12/94

P 70

(10)

Date:- 19.4.94 [Per M.S. Deshpande V.C.]

Judgment

Applicant along with
counsel Mr M M Sudeama is present.
Mr. P. S. Lambert for the respondents.

Mr Sudeama counsel
for the applicant states that
in view of the Full Bench decision
of this Tribunal by which ad-hoc
services cannot be counted
for the purpose of regularisation
he does not wish to press
the present application.

Application is
dismissed as not pressed.

Issued Judgment of 19.4.94
to the parties on 9/6/94.

M.R.Kolhatkar (V.V.)
(M.R.Kolhatkar) (M.S.Deshpande).
H (A) V.C.

14/6/94