

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

(3)

NEW BOMBAY BENCH

O.A. No. 815/90

KXXXXX

198

DATE OF DECISION 8.1.1991

Mr. MP Saha

Petitioner

Mr. K.D. Deshpande

Advocate for the Petitioner(s)

Versus

Union of India & Ors.

Respondent

Mr. Ramesh Darda

Advocate for the Respondent(s)

CORAM

The Hon'ble Mr. D. Surya Rao, Member (J)

The Hon'ble Mr. P.S. Chaudhuri, Member (A)

1. Whether Reporters of local papers may be allowed to see the Judgement ? Yes
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

P.S. Chaudhuri
 (P.S. Chaudhuri)
 Member (A)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW BOMBAY BENCH, NEW BOMBAY
CAMP AT NAGPUR

* * *

Original Application No.815/90

M.P. Saha,
Chargeman Grade-I (Tech),
Ordnance Factory,
Chanda 442 501

... Applicant

V/s

1. The Union of India through
its Secretary, Ministry of
Defence Production,
New Delhi 110 001.

2. The Secretary, Ordnance
Factory Board, Calcutta-1.

3. The General Manager,
Ordnance Factory, Chanda. ... Respondents

CORAM : Hon'ble Member (J), Shri D.Surya Rao.
Hon'ble Member (A), Shri P.S.Chaudhuri.

Appearances:

Mr. K.D.Deshpande, Adv,
for the applicant and
Mr. Ramesh Darda, Adv.,
for the respondents.

ORAL JUDGEMENT:

Dated : 8.1.1991.

(Per. P.S.Chaudhuri, Member (A))

This application under Section 19 of the Central Administrative Tribunals Act, 1985 was filed on 19.11.1990. In it the applicant who is working as Chargeman Grade-I (Technical), Ordnance Factory, Chanda is challenging the order dated 21.8.1987 imposing a penalty of stoppage of one increment with cumulative effect.

2. We have today heard Mr. K.D.Deshpande, learned counsel for the applicant and Mr. Ramesh Darda, learned counsel for the respondents who waives notice.

3. Mr. Deshpande submits that the applicant had submitted a statutory appeal against the penalty on 3.10.1987 but this appeal has not yet been decided by the second respondent. Mr. Darda fairly submits

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that if such an appeal was submitted and it is within the prescribed period of limitation, the respondents are required to dispose of such a statutory appeal.

4. In view of this position we dispose of this application at the admission stage with a direction to the second respondent to dispose of the appeal dated 3.10.1987, if any and if within the limitation, by 31.3.1991. If the applicant remains aggrieved after such disposal, he is at liberty to approach this Tribunal afresh. In this circumstances of the case there is no order as to costs.


(P.S. Chaudhuri)
Member (A)


(D. Surya Rao)
Member (J)

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