

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

BOMBAY BENCH

~~XXX~~~~XXX~~~~No.~~ Stamp Appln. No. 502/91¹⁹⁸
~~XXX~~~~XXX~~~~No.~~ (OA 612/91)

DATE OF DECISION 23-9-1991

Ashok Niwruti Choudhari Petitioner

Mr. K.R. Jadhav Advocate for the Petitioner(s)

Versus

Union of India and ors. Respondent

Mr. J.G. Sawant Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr.U.C.Srivastava, Vice Chairman

The Hon'ble Mr.M.Y.Priolkar, Member(A)

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

MGIPRRND-12 CAT/86-3-12-86-15,000

U
(U.C.SRIVASTAVA)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Stamp Appln. No. 502/91 on 6/2/91

Ashok Niwruti Choudhari,
Residing at: Juna-Satara,
At: Po:Tal:Bhusawal,
Dist.Jalgaon. .. Applicant

vs.

1. The Dy.Chief Elect.Engineer
(CEE ELW),
Central Railway, Bhusawal,
Dist.Jalgaon,
Bhusawal.
2. The General Manager,
Central Rly.,
Bombay V.T.
3. The Secretary,
Union of India,
Ministry of Transport,
Department of Railways,
New Delhi. .. Respondents

Coram: Hon'ble Shri Justice U.C.Srivastava,
Vice-Chairman.

Hon'ble Shri M.Y.Priolkar,
Member(A)

Appearances:

1. Mr.K.R.Jadhav
Advocate for the
Applicant.
2. Mr.J.G.Sawant
Counsel for the
Respondents.

ORAL JUDGMENT:
(Per U.C.Srivastava, Vice-Chairman)

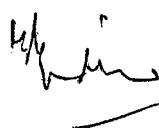
Date: 23-9-1991

For assaulting an officer a criminal case was initiated against the applicant. In the meantime he was also chargesheeted departmentally. The applicant's grievance is that both the proceedings cannot go together.

2. The facts may be the same. But it cannot be said that the charges are the same as for assaulting an officer criminal case is filed under the Indian Penal Code and for assaulting an officer

departmental proceedings are different. Merely because the criminal case is pending the departmental proceedings cannot be stopped

3. We are not satisfied in this case ~~in which~~ ^{that} ~~either~~ which the departmental proceedings or criminal proceedings should be stayed. As such the application is dismissed. There will be no order as to costs.





(M.Y. PRIOLKAR)
Member(A)

(U.C. SRIVASTAVA)
Vice-Chairman

MD