

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

NEW BOMBAY BENCH

O.A. No. 366/91

~~XXXXXX~~

198

DATE OF DECISION 2.8.1991S.D.Naralkar

Petitioner

Mr. D.V.Gangal

Advocate for the Petitioner(s)

Versus

Union of India & Ors.

Respondent

Mr. V.M.Bendre

Advocate for the Respondent(s)

CORAM

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

The Hon'ble Mr. T.C.Reddy, Member (J)

1. Whether Reporters of local papers may be allowed to see the Judgement ? *Ys*
2. To be referred to the Reporter or not ? *No*
3. Whether their Lordships wish to see the fair copy of the Judgement ? *No*
4. Whether in needs to be circulated to other Benches of the Tribunal ? *No*

Ys
 (M.Y.Priolkar)
 Member (A)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW BOMBAY BENCH, NEW BOMBAY

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Original Application No. 366/91

Suresh Dattaram Naralkar,
Storekeeper, TT Section,
Machine Tools Prototype Factory,
Ambernath
R/o Ordnance Estate, Qrts. No.H.42/1,
Ambernath, Dist. Thane. ... Applicant

V/s

1. The Union of India, through
The General Manager,
Machine Tools Prototype Factory,
Ambernath.
2. The Secretary,
Ministry of Defence,
Department of Production,
New Delhi.
3. The Director General,
Ordnance Factory Board,
10, Auckland Road,
Calcutta.

CORAM : Hon'ble Member (A), Shri M.Y.Priolkar.
Hon'ble Member (J), Shri T.C.Reddy.

Appearances:

Mr. D.V.Gangal, Advocate
for the applicant and
Mr. V.M.Bendre, Advocate
for the respondents.

ORAL JUDGEMENT:

Dated : 2.8.1991

(Per. M.Y.Priolkar, Member (A))

Mr. Gangal states that in view of the fact that the respondents have started eviction proceedings against the applicant which was the prayer in the main application, he is withdrawing this application on the understanding that no penal rent will be recovered from the applicant. Mr. Bendre appearing for the respondents confirms that penal rent will not be recovered till the completion of the eviction proceedings although Mr. Gangal prays that even for one month subsequent to the completion of the eviction proceedings penal rent should not be recovered. We are not inclined to grant this prayer as after completion of the eviction proceedings the applicant should be required to pay rent according to the rules in accordance with the

final order that may be passed. With this direction this original application is disposed of finally. No order as to costs.

T. C. Reddy

(T.C. Reddy)
Member (J)

M.Y. Priolkar

(M.Y. Priolkar)
Member (A)