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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH
CIRCUIT SITTING AT NAGPUR

O.A.1240/92

V.K.Varma

.. Applicant

-versus-

Union of India & Ors.

.. Respondents

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

Hon'ble Mr.V.D.Deshmukh, Member(J)

Appearances:

1. Mr.Anand Jaiswal
Advocate for the
Applicant.
2. Mr.Ramesh Darda
Counsel for the
Respondents.

TRIBUNAL'S ORDER:

Date: 20-1-1993

Counsel for the applicant prays for interim relief of revocation of suspension order since neither the suspension order nor the order initiating disciplinary proceedings have been issued by the competent authority.


2. It is seen from the order that they are signed by the General Manager for and on behalf of disciplinary authority. Learned counsel's contention is that competent authority is Deputy Director General of Ordnance Factories and not the General Manager. General Manager has however, signed these orders for and on behalf of the disciplinary authority.
3. Learned counsel again contended that no delegation is permissible for powers of the competent authority. However,


(5)

in our view the very fact that the General Manager has ~~xxx~~ signed this for and on behalf of disciplinary authority shows that he has not issued the order under delegated powers but on specific directions of the disciplinary authority. No doubt we will have to see the original record which will be done at the time of final hearing.

3. In our view no case is made out for grant of interim relief. Respondents ^{are} ~~were~~, however, directed to see that the suspension order is reviewed in accordance with the rule, if it is not already done. Interim relief is rejected.

4. The case is already listed for directions at Nagpur on 16-3-93.


(V.D. DESHMUKH)
Member(J)


(M.Y. PRIOLKAR)
Member(A)

MD

(8)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT SITTING AT NAGPUR
BOMBAY BENCH, 'GULESTAN' BUILDING NO.6
PRESCOT ROAD, BOMBAY

CA No. 1240/92

V.K. Verma

..Applicant

V/s.

Union of India
through Secretary
Min. of Defence
New Delhi & 2 ors.

..Respondents

Coram: Hon.Shri Justice M S Deshpande, V.C.
Hon.Shri M Y Priolkar, Member (A)

APPEARANCE:

Mr. A. Jaishwal
Counsel for applicant

Mr. R. Darda
Counsel for respondents

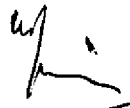
ORAL JUDGMENT:


DATED: 16.3.93

(PER: M S Deshpande, Vice Chairman)

Heard the counsel. ^{only} ~~All~~ The direction that we need ^{while} ~~to~~ make by leaving the points raised by the applicant in this application open for challenge in another application before this court, (if) the result of the inquiry goes against him, is to direct the Disciplinary Authority to complete the inquiry within three months from to day on the charge sheet issued on 6.6.92.

With regard to be submission that another inquiry has been completed, the stand taken by the respondents is that there is a remedy of appeal to the applicant. Counsel for the applicant states that the remedy of appeal is not exhausted. No orders are called for because liberty is granted to applicant to exhaust the remedy by filing an appeal.


(M Y Priolkar)
Member (A)


(M S Deshpande)
Vice Chairman

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, BOMBAY

R.P.NO. 35/93

in

OA.NO. 1240/92

Shri  K.Verma

... Applicant

V/S.

Union of India & Ors.

... Respondents


CORAM: Hon'ble Vice Chairman Shri Justice M.S.Deshpande
Hon'ble Member (A) Shri M.Y.Priolkar


Tribunal's Order by Circulation

Dated: 26.11.1993

(PER: M.S.Deshpande, Vice Chairman)

We have passed reasoned order on 16.3.1993 in OA.NO.1240/92 dealing with the contentions which were raised. There is no new material which calls for consideration by the review application which could not have been placed before us when the order dated 16.3.1993 was passed. No error apparent on the face of the record has been pointed out and hence this review application is dismissed.


(M.Y.PRIOLKAR)
MEMBER (A)


(M.S.DESHPANDE)
VICE CHAIRMAN

mrj.