

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 hav 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,

in our view the very fact that the General Manager has ~~been~~ 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 ~~were~~ however, directed to see that the suspension order is reviewed in accordance with the rules 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. PRIOULKAR)
Member(A)

MD

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

OA 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 Briolkar, Member (A)

APPEARANCE:

Mr. A. Jaiswal
Counsel for applicant

Mr. R. Darda
Counsel for respondents

ORAL JUDGMENT:

(PER: M S Deshpande, Vice Chairman)

DATED: 16.3.93

Heard the counsel. ~~All~~ ^{only} The direction that we
need ~~to~~ make ^{while} 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 res-
pondents is that there is a remedy of appeal to the appli-
cant. 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 Briolkar)
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 V.K.Verma

... Applicant

V/S.

Union of India & Ors.

... Respondents

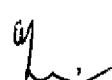
CORAM: Hon'ble Vice Chairman Shri Justice M.S.Deshpande
Hon'ble Member (A) Shri M.Y.Priolkar

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.