

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION NO.: 1263/92

Date of Decision : 25.4.2000

Smt.C.C.Kadulkar Applicant.

Shri L.M.Nerlekar Advocate for the
Applicant.

VERSUS

Union of India & Others, Respondents.

Shri S.C.Dhawan Advocate for the
Respondents.

CORAM :

The Hon'ble Shri Justice Ashok Agarwal, Chairman

The Hon'ble Shri D.S.Baweja, Member (A)

- (i) To be referred to the Reporter or not ? No
- (ii) Whether it needs to be circulated to other Benches of the Tribunal ? No
- (iii) Library


(ASHOK AGARWAL)
CHAIRMAN

mrj*

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH, MUMBAI

OA.NO.1263/92

Tuesday this the 25th day of April,2000.

CORAM : Hon'ble Shri Justice Ashok Agarwal,Chairman

Hon'ble Shri D.S.Baweja, Member (A)

Smt.Charusheela,
Wd/o Chandrakant Kadulkar,
R/o M/s.R.B.III/1012/16,
Waldhoni - Kalyan-421 301.

...Applicant

By Advocate Shri L.M.Nerlekar

V/S.

Union of India
through Divisional Railway
Manager, Central Railway,
Bombay V.T.

...Respondent

By Advocate Shri S.C.Dhawan

O R D E R (ORAL)

{Per: Shri Justice Ashok Agarwal,Chairman}

A penalty of compulsory retirement imposed on the original applicant late Chandrakant J. Kadulkar issued by the disciplinary authority on 27.7.1992 and confirmed by the appellate authority by an order passed on 14.10.1992 is impugned in the present OA. The aforesaid Kadulkar has expired during the pendency of the present OA. on 3.4.1993 and his widow has been brought on record as his heir and legal representative. Whereas



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the present OA. impugnes the aforesaid order of penalty and nothing else, Shri Nerlekar, learned Advocate appearing in the present OA. has sought to make oral submissions in regard to certain deductions which are made from the retiral benefits of the deceased towards penal rent in respect of official quarters which had been allotted to the aforesaid deceased Kadulkar. The aforesaid contention in our view cannot be permitted to be raised in the present OA. as there is not even a whisper in regard to the said claim in the present OA. This is despite the fact that the present applicant has been brought on record way back in 1993. Hence, the prayer made at this belated stage for amendment of the present OA. so as to introduce the aforesaid claim cannot be permitted. The present OA. in the circumstances is dismissed. No order as to costs.


(D.S. BAWEJA)

MEMBER (A)


(ASHOK AGARWAL)

CHAIRMAN

mrj.