

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

NEW BOMBAY BENCH

STAMP(N) 21/92

O.A. No. 341/92
Exxxx No.

198

DATE OF DECISION 13.4.1992

Shri P.H. Ganvir Petitioner

Shri A.S. Bhagat Advocate for the Petitioner(s)

Versus

Union of India & Another Respondent

Shri Ramesh Darda Advocate for the Respondent(s)

CORAM

The Hon'ble Mr. JUSTICE 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 ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?


(U.C. SRIVASTAVA)
VICE CHAIRMAN.

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, CAMP AT NAGPUR.

STAMP (N) 21/92. (O.A. 341/92)

Shri Pandharinath H. Ganvir,
R/o. Ghubad Toli Ward No.6,
At & Post : Pulgaon, Dist. Wardha. .. Applicant.

Vs.

1. Union of India, through
Commandant, Central Ammunition
Depot, Pulgaon Camp (Dist. Wardha).
2. The Secretary to the Government
Ministry of Defence,
Army Headquarters, South Block,
NEW DELHI - 110 001. .. Respondents.

Coram : Hon'ble Shri Justice U.C. Srivastava, Vice Chairman.
Hon'ble Shri M.Y. Priolkar, Member (A).

Appearances :

Shri A.S. Bhagat,
Advocate for the applicant.

Shri Ramesh Darda, Counsel
for the Respondents.

ORAL JUDGMENT :

Dated : 13.3.1992.

I PER : Hon'ble Shri U.C. Srivastava, Vice Chairman X

The applicant was compulsorily retired from service and against that order the applicant has filed application in this Tribunal. The Tribunal allowed this application and set aside the order passed by the respondents by which the applicant was compulsorily retired from service on the ground that the Inquiry Officer's Report was not given to the applicant and he was not given reasonable opportunity. The order of compulsory retirement was set aside, the respondents thereafter passed order dtd. 3.3.1992 informing the applicant that the punishment order has been set aside and he has been placed under suspension with effect from 3.3.1992. The respondents have accepted that the applicant

(4)

Stamp (N) 21/92.

was continued in service and before placing him under suspension before conducting an inquiry they should have paid him entire salary and the wages he was entitled to. Accordingly the Respondents are directed to pay entire salary and backwages upto 3.3.1992 from the date which is due to the applicant within a period of one month. They are further directed to conclude the inquiry within a period of 2 months from the date of the communication of this order. The applicant was also to cooperate with the inquiry inasmuch as he will file therepresentation to the inquiry officer's report within the time so granted.

There will be no order as to costs.



(M.Y. PRIOLKAR)
MEMBER (A).



(U.C. SRIVASTAVA)
VICE CHAIRMAN.

ham/-.

(5)

CENTRAL ADMINISTRATIVE TRIBUNAL

BOMBAY BENCH

BOMBAY

Review Application no. 136/92

in

O.A. No. 341/92

Shri P.H. Ganvir Applicant.

Vs.

U.O.I. & Others. Respondents.

Coram: Hon'ble Mr. Justice U.C. Srivastava, V.C.

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

(By Hon'ble Mr. Justice U. C. Srivastava, V.C.)

DA 22/9/92

This belated review application is directed against our judgment and order dated 15.11.1991 and 13.3.1992 passed in O.A. No. 445/87. The review application has been filed some 3 months 4 days after expiry of period of limitation. The explanation for delay is very vague and no case for condonation has been made out with the result that the application deserves to be rejected on this ground. Even on merits in our opinion no ground for review exists, there being no error apparent on the face of the record. The review application is rejected. We have also rejected the review application in the connected case and the order in that case shall form part of this order too.

4/
Member (A)

6/
Vice-Chairman.

DATED :- 22-9-1992.

/am/