

## IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

NEW BOMBAY BENCH

O.A. No. 502/92  
T.A. No.

198

DATE OF DECISION 14.7.1992

MR. VASANT LAXMANRAO DHAGE

Petitioner

SHRI M.W. HARSULKAR

Advocate for the Petitioner(s)

Versus

DIVISIONAL RAILWAY MANAGER, CR  
Nagpur.

Respondent

Mr. S.K. Sanyal

Advocate for the Respondent(s)

## CORAM

The Hon'ble Mr. JUSTICE S.K.DHAON, Vice-Chairman

The Hon'ble ~~XX~~ USHA SAVARA, 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 ?

*S.K.D.*  
(S.K.DHAON)  
VICE- CHAIRMAN

srl

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

O.A.502/92.

Vasant L. Dhage

.. Applicant.

Vs.

Divisional Railway Manager,  
C.R., Nagpur & 2 Others.

.. Respondents.

Coram : Hon'ble Shri Justice S.K. Dhaon, Vice Chairman.  
Hon'ble Ms. Usha Savara, Member (A).

Appearances:

Shri M.W. Harsulkar,  
Adv. for the applicant.

Mr. S.K. Sanyal, Advocate  
for the Respondents.

ORAL JUDGMENT :

Dated: 14.7.1992.

[ Per : Hon'ble Shri S.K. Dhaon, Vice Chairman ]

The applicant was given a minor punishment, and before availing a right of first appeal he preferred this application. Shri Sanyal, who is appearing on behalf of Respondents, informs us that during the pendency of this application the first appeal has been dismissed on 10.6.1992 with a direction that the applicant can avail the right of preferring a second appeal within a period of 45 days from 10.6.1992. The applicant therefore, ~~has~~ did not exhaust <sup>the</sup> alternative remedy available to him before approaching this Tribunal. He can still prefer a second appeal, if so advised.

2. In our opinion, this is a premature application. The Learned Counsel for the applicant now prays that he may be permitted to withdraw this application. The permission is accorded. We however, make it clear, that

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O.A.502/92.

it will be open to the applicant to come up to this  
Tribunal, if necessary, after <sup>the</sup> decision of the second  
appeal. The application is rejected.

*Ms. Usha Savara*  
( Ms. Usha Savara )  
Member (A).

*S.K. Dhaon*  
( S.K. Dhaon )  
Vice Chairman.

srl.