

(2)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

O.A. NO: 512/92

199

~~XXXXXXXXXX~~

DATE OF DECISION 17.9.1992

Ramkrishna T. Redke

Petitioner

Shri A.S. Jainwal

Advocate for the Petitioners

Versus

Government of India & 2 Others. Respondent

Shri Ramesh Darda

Advocate for the Respondent(s)

CORAM:

The Hon'ble Mr. JUSTICE S.K. DHAON, 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 ?

No

Shy
(VICE CHAIRMAN)

mbm*

(3)

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

O A 512/92.

Ramkrishna K. Redke.

.. Applicant.

Vs.

Government of India & 2 Others.

.. Respondents.

Coram : Hon'ble Shri Justice S.K. Dhaon, Vice Chairman.
Hon'ble Shri M.Y. Prislkar, Member (A).

Appearances:

Shri A.S. Jaiswal, Counsel
for the applicant.

Shri Ramesh Darda, Counsel
for the Respondents.

ORAL JUDGMENT :

Date: 17.9.1992.

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

The applicant had been convicted in a criminal trial by Competent Court ^{and} on that account his services were done away with. The order whereby he has been dismissed from service is being impugned in the present application.

2. A reply has been filed on behalf of respondents.

Shri R. Darda learned Counsel for the respondents and

✓ Shri Jaiswal learned Counsel for the applicant has been heard.


3. The only ground urged is that, since the applicant has preferred an appeal before the High Court against the order of the trial Court, ~~convicting~~ the order of dismissal should not have been passed. Under the relevant Rules the authority concerned had the jurisdiction to pass such an order even during the pendency of the appeal. It is well settled that the mere filing ^{of} with the appeal does not put under suspension the ~~order of~~ ^{under} appeal, ~~against~~ the order is only put ⁱⁿ jeopardy, ~~even and when the appeal is allowed.~~ It will be open to the applicant to approach the authority concerned for his reinstatement, ^{if} the conviction is set aside ^{in appeal}.

(4)

-: 2 :-

O A 512/92.

4. The application is dismissed summarily.
5. There shall be no order as to costs.


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


(S.K. DHARON)
VICE CHAIRMAN.

ham/-.