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CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No: 609/92

XXXXXX XXXX XXXXXXXX XXXX

DATE OF DECISION 28.9.93

Shri V.D. Karkare Petitioner

Shri C.M. Jha Advocate for the Petitioners

Versus

Union of India and others Respondent

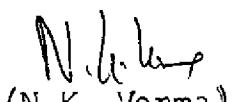
Shri A.L. Kasturey. Advocate for the Respondent(s)

GC/AM:

The Hon'ble Shri N.K. Verma, Member (A)

The Hon'ble Shri

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 ?


(N.K. Verma)
Member (A)

NS/

(6)

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No. 609/92

Shri V.D. Karkare.
V/s.

... Applicant.

Union of India through
General Manager Western Railway
Churchgate, Bombay.

Chief Cashier
Head quarter office
Pay and Cash Office
Churchgate.
Bombay.

... Respondents.

CORAM: Hon'ble Shri N.K. Verma, Member (A)

Appearance:

Shri C.M. Jha, counsel
for the applicant.

Shri A.L. Kasturey, counsel
for the respondents.

ORAL JUDGEMENT

Dated: 28.9.93

{ Per Shri N.K. Verma, Member (A) }

Heard learned counsel for both the sides.

The applicant Shri V.D. Karkare is a cashier who alleges that he has been subjected to discrimination in as much as he was put on cheque table which would not entitle him to payment of Honorarium. He has prayed for directing the respondents to rotate him forthwith and also to pay him the compensation at the rate of Rs. 12,000/- per annum for the years that he was not rotated.

2. The learned counsel for the respondents have come out with a reply saying that as per para 19 of the written statement they have no objection for rotation of the applicant, but he has to work on that table without raising any objections and conditions. During the arguments the learned counsel for the applicant indicated certain administrative difficulties

in carrying out the responsibilities of a cashier for outlaying stations where cash is to be carried from banks in person. These are administrative matters, which, the Railway authorities will surely look into.

3. Since the Railway (respondents) have already agreed to give the applicant the relief sought in prayer (a) in so far as the rotation is concerned, the same is disposed of accordingly. The prayer (b) for grant of compensation at the rate of Rs. 12,000/- for the years he was not rotated, is on the ~~face~~ of it ~~is~~ irrelevant and not acceptable. This part of the prayer is therefore, rejected. There will be no order as to costs.

N. K. Verma
(N.K. Verma)
Member (A)

NS

CP No. 85/95
Writ for order
on (4.7.95)
with points
limitation.

3/3/6

Dated: 18.8.95

Shri C.M.Jha for the
applicant.

Rule on C.P. returnable
on 6.10.95.

(P.P.Srivastava).
M(A)

(Mrs. Deshpande)
M.C.

Per Tribunal

Date: 6.10.95

Applicant in person by Mr. C M Jha.

Advocate / Respondent by Mr. Deshpande

Counsel for ward of by

The matter adjourned to 27/11/95.

for ~~for him~~ order a CP 85/95.

Dy. Registrar

O.A. No. 609/92

CP No. 85/95 Dated: 27.11.95

Mr. C M Jha, counsel for the applicant.

Issue notice to the respondents on CP
No. 85/95 returnable on 18.1.1996 calling
upon them to file reply.

(P.P.Srivastava)
Member (A)

B.S. Hegde
(B.S. Hegde)
Member (J)

Notices issued
applied for
26/9/96

Jali
11/11

Dated: 18-1-96 S.I.No. 3

None for the parties.

Applicant has filed C.P. No. 85/95. Respondents have not filed any reply. Respondents are given four weeks time to file reply.

List the case on 1.3.96.

M.R.Kolhatkar

M.J. (M.R.Kolhatkar) (B.S.Hegde)
M(LA) M(T)

38) 1.3.1996.

None for the parties.

Departmental representative on behalf of respondents is present. He states that reply to C.P. No. 85/95 has been given to applicant's counsel and the office copy is filed in the Registry.

Adjourned to 26/4/1996.

M.R.Kolhatkar

(M.R.Kolhatkar) (B.S.Hegde)
M(LA) M(T)

OS

Received Reply to
C.P. No 85/95 on
behalf of Respondents
on 1.3.96

N.M.
1.3.

54) 26.04.1996.

Heard Shri C.M. Jha for the applicant and
Shri A.L. Kasture for the respondents.

The only direction given in the judgement was that - since the respondents have already agreed to give the applicant the relief sought in prayer (a) insofar as the rotation is concerned, the same is disposed of accordingly. Regarding claim for grant of compensation for the years he was not rotated, the same was rejected. The respondents in their reply have clearly stated that the applicant himself did not comply with the said orders of rotation and has himself expressed that he should not be disturbed further and he has not given his charge despite reminders.

In the circumstances, we do not find any justification in allowing the C.P. to continue and accordingly the C.P. No. 85/95 is discharged.

M. R. Kolhatkar
(M. R. KOLHATKAR)
MEMBER (A).

B. S. Hegde
(B. S. HEGDE)
MEMBER (J).

✓ II/0
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1/5
os*

dt. 26/4/96
order/Judgement despatched
to Applicant/Respondent(s)
on 20/6/96

26/4/96