

(3)

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No.: 655/92

~~For reference only~~

DATE OF DECISION 12.4.1993

Shri A.K. Farid Mulla. Petitioner

Shri S.P. Kulkarni. Advocate for the Petitioners

Versus

Union of India & Ors. Respondent

Shri V.M. Bendre. Advocate for the Respondent(s)

CORAM:

The Hon'ble Shri Justice M.S. Deshpande, Vice-Chairman,

The Hon'ble Shri M.Y. Priolkar, Member(A).

1. whether Reporters of local papers may be allowed to see *yes* 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 ?

1
2


(M.S. DESHPANDE)
VICE-CHAIRMAN

NS/

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL,
BOMBAY BENCH, BOMBAY.

Original Application No.655/92.

Shri Abdul Khan Farid Mulla. Applicant.
v/s.

Union of India & Ors. Respondents.

Coram: Hon'ble Shri Justice M.S.Deshpande, Vice-Chairman,
Hon'ble Shri M.Y.Priolkar, Member(A).

Appearances:-

Applicant by Shri S.P.Kulkarni.
Respondents by Shri V.M.Bendre.

Oral Judgment:-

¶ Per Shri M.S.Deshpande, Vice-Chairman Dated: 12.4.1993.

Heard the counsels for the parties. The counsel for the applicant files rejoinder. There were 11 items of mis-appropriation, falsification and forgery and for two out of those 11, ~~as~~ departmental proceedings were initiated and the applicant was removed from service w.e.f. 16.7.1979. There were no appeals ^{In} for these orders. ~~In~~ The other nine items, the applicant faced trial before the Criminal Court and he ~~was~~ was acquitted. After his acquittal by the Criminal Court, the applicant applied for review to the Disciplinary Authority and the Disciplinary Authority found by the order dt. 26.7.1991 that ~~the~~ since the items before the Criminal Court were different from those for which he came to be removed, the review application could not be granted. We find that the Reviewing authority was fully justified in the view taken. There is no merit in the application. The application is dismissed. With regard to the submission that the suspension period has not been regularised

because suspension was in respect of a criminal charge and not for departmental inquiry also we see no merit, in view of the order of the removal passed in the year 1979.


(M.Y. PRIOLKAR)
MEMBER(A)


(M.S. DESHPANDE)
VICE-CHAIRMAN

B.