

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

BOMBAY BENCH.

(9)

Original Application No. 958/93.

Shri P. Mahadevan.

.... Applicant.

V/s.

Union of India.

.... Respondent.

Coram: Hon'ble Shri Justice M.S.Deshpande, Vice-Chairman.  
Hon'ble Shri N.K.Verma, Member(A).

Appearances:-

Applicant by Shri D.V.Gangal.  
Respondents by Shri S.C.Davan.

Oral Judgment:-

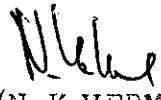
(Per Shri M.S.Deshpande, Vice-Chairman) Dt. 11.10.93.

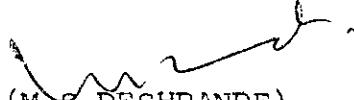
Heard Shri D.V.Gangal, advocate for the applicant and Shri S.C.Dhavan, counsel for the respondents.

2. The grievance of the applicant is that he could not have been shifted in pursuance of the order dt. 29.7.1985 which has been referred to in Annexure A-1 dt. 30.4.1993 and made to seek further promotion with the South Central Railway at Hubli. Miscellaneous Petition No.798/93 by the applicant seeks that the applicant should be allowed to retire on or before 31.7.1994 at Pune. The order dt. 10.9.1993 annexed to the Misc. Petition shows that the applicant who was promoted on proforma basis was to be retained at Pune in Central Railway. Shri Gangal informs us that the applicant is due to retire on 31.7.1994. Though Shri Dhavan refers to the dismissal of the applicant's application seeking a declaration that he belongs to the Central Railway which is annexed to the application, we find that in view of the order passed on 10.9.93 that decision cannot be any longer held against the applicant. We find that in the circumstances, the

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applicant should be allowed to continued to be retained at Pune as per the order dt. 10.9.1993 on proforma basis. Order accordingly. The Original Application is disposed of.

  
(N.K.VERMA)  
MEMBER(A)

  
(M.S.DESHPANDE)  
VICE-CHAIRMAN

B.