

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

BOMBAY BENCH, CAMP AT NAGPUR.

Original Application No.44/93.

Shri A.H.Abdul Majid.

.... Applicant.

V/s.

The General Manager,
Ordnance Factory,
Ambazari, Nagpur & Anr.

.... Respondents.

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

Appearances:-

Applicant by Shri M.M.Sudame.
Respondents by Shri R.Darda.

Oral Judgment:-

[Per Shri M.S.Deshpande, Vice-Chairman] Dt. 28.7.1993,

Heard the counsel for the parties. The only submission raised is that there was no material before the Enquiry Officer to hold that the Empty Drums which had been entrusted to the applicant for getting them re-filled had not been returned. The submission was that the record should have been produced to show that there was no shortage of Drums with the Respondents. This is not correct, since the applicant had admittedly taken away the Drums, it was for him to account for the Drums and he produced certain receipts which on account of the past experience^{of} the Respondents ~~xx~~ could not be relied upon.

2. It was for the applicant, in the circumstances, to establish^{by} pre-ponderance of probability of the return of Drums. We see no merit in the application and it is dismissed with no order as to costs.


(M.Y.PRIOLKAR)
MEMBER (A)


(M.S.DESHPANDE)
VICE-CHAIRMAN