

(2)

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No: 1140/93

~~XXXX for XXXXXXXXXXXXXXX~~
~~XXXXXXXXXXXXXXXXXXXX~~

DATE OF DECISION 8.2.94

Shri S.C. Sharma Petitioner

Shri P.G. Zare. Advocate for the Petitioners

Versus

Union of India through Respondent
General Manager, Central
Railway, Bombay V.T.

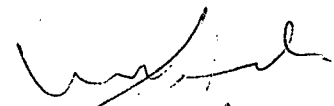
Shri J.G. Sawant. Advocate for the Respondent(s)

CORAM:

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

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 ?


(M.S. Deshpande)
Vice Chairman.

(4)

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No. 1140/93

Shri S.C. Sharma

... Applicant.

V/s.

Union of India through
General Manager,
Central Railway,
Bombay V.T.

... Respondent.

CORAM: Hon'ble Shri Justice M.S. Deshpande, Vice Chairman.

Appearance:

Shri P.G. Zare, counsel
for the applicant.

Shri J.G. Sawant, counsel
for the respondents.

ORAL JUDGEMENT

Dated: 8.2.94

{ Per Shri M.S. Deshpande, Vice Chairman }

The applicant was in Government service and retired on 31.5.93. Disciplinary enquiry pending against him at the time of retirement was continued. The Enquiry Officer has made a report on 17.5.93 and the applicant has furnished his explanation on 31.5.93 to the Disciplinary authority. The grievance of the applicant is that most of his retiral benefits have been withheld by the respondents. Shri Sawant, learned counsel for the respondents states that except the D.C.R.G. and the commuted value of pension, all other entitlement of the applicant as well as the monthly pension has been paid to him.

2. Shri Sawant submits that the two amounts relating to pension and D.C.R.G. have not been paid because the President will have to take a decision regarding the penalty to be imposed on him because he has retired from service and that it will take sometime for the President to take a decision, though all the papers have been submitted to the President.

5

: 2 :

3. In these circumstances the only order that can be made in the present case is that the President ^{is requested to} ~~shall~~ take a decision within three months from the date of receipt of this order. With these directions this application is disposed of. No order as to costs.


(M.S. Deshpande)
Vice Chairman

NS

7

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

C.P. 75/94 in
Original Application No. 1140/93

C.P. 74/94 in
Original Application No. 1218/93

Tribunal's order

Dated: 19.8.94

Shri P.G. Zare, counsel for the
applicant. Shri S.C. Dhawan, counsel for the
respondents.

Applicant has filed CP for non compliance
of the order of the Tribunal. Considering the facts
and circumstances of the case, Tribunal had directed
the respondents to request the President to take a
decision within three months from the date of receipt
of this order. Accordingly the O.A. was disposed of.
The learned counsel for the respondent submits that
all relevant documents have been forwarded to
Railway Board on 7.6.94. However the papers are to be
routed through Railway Board to the UPSC and then to the
President. Accordingly, he prays for six months' time
to implement the judgement of this Tribunal. Four
months' time granted from today. M.P. stands disposed of.
List the case on 24.12.94 for orders on C.P.

M.R. Kolhatkar

(M.R. Kolhatkar)
Member (A)

B.S. Hegde

(B.S. Hegde)
Member (J)

NS