

(5)

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No. 187/93

Transfer Application No. _____

Date of Decision 22.8.1995

Shri V.S.Bhonsle

Petitioner/s

Applicant in person

Advocate for
the Petitioners

Versus

Addl.D.R.M., C.Rly, BBY V.T.

Respondent/s

Shri S.C.Dhavan

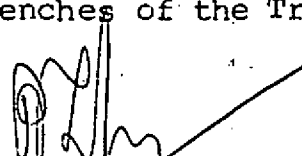
Advocate for
the Respondents

CORAM :

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

Hon'ble Shri. P.P.Srivastava, Member (A)

- (1) To be referred to the Reporter or not ?
- (2) Whether it needs to be circulated to
other Benches of the Tribunal ?


(P.P.SRIVASTAVA)
MEMBER (A)


(M.S.DESHPANDE)
VICE CHAIRMAN

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, BOMBAY

86

DA.NO. 187/93

Shri V.S.Bhonsle
V/S.

... Applicant

Addl.D.R.M.(G), C.Rly.,
Bombay V.T. & Anr.

... Respondents

CORAM: Hon'ble Vice Chairman Shri Justice M.S.Deshpande
Hon'ble Member (A) Shri P.P.Srivastava

Appearance

Applicant in person

Shri S.C.Dhawan
Advocate
for the Respondents

ORAL JUDGEMENT

Dated: 22.8.1995

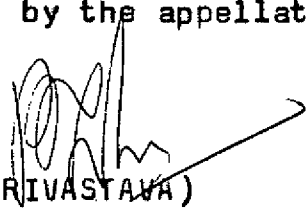
(PER: M.S.Deshpande, Vice Chairman)

By this application the applicant challenges the order dated 25.3.1992 imposing the penalty of withholding of increment for one year with cumulative effect upon a charge that he had in his capacity as Investigating Inspector/Vigilance Rly.Board during the period from December, 1986 to April, 1989 had caused abnormal delay in investigating seven vigilance cases marked to him.

2. It is not necessary for us to go into the several grounds which were raised by the applicant because in the Memo of Appeal which he had filed before the appellate authority he had sought a personal hearing and personal hearing was not granted to him. We find that in view of the observations in Ram Chander vs. Union of India & Ors. A.T.R. 1986(2) S.C. 252, it was necessary for the appellate authority to grant a personal hearing to the applicant before deciding the appeal.

7

3. We, therefore, set aside the appellate order and direct the respondents to grant a personal hearing to the applicant and dispose of the appeal within two months from the date of communication of this order. Liberty to the applicant to approach the Tribunal should he feel aggrieved by the order passed by the appellate authority.


(P.P. SRIVASTAVA)
MEMBER (A)


(M.S. DESHPANDE)
VICE CHAIRMAN

mrj.