

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH.

ORIGINAL APPLICATION NO.: 690 of 1993.

Dated this Wednesday, the 11th day of October, 2000.

H. P. Kolhe. Applicant.

Shri G. S. Walia. Advocate for the
applicant.

VERSUS

Union of India & Another. Respondents.

Shri R. R. Shetty. Advocate for
Respondents.

CORAM : Hon'ble Shri Justice, Ashok Agarwal, Chairman.
Hon'ble Smt. Shanta Shastry, Member (A).

- (i) To be referred to the Reporter or not ? No
- (ii) Whether it needs to be circulated to other Benches No
of the Tribunal ?
- (iii) Library.


(ASHOK AGARWAL)
CHAIRMAN.

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H. P. Kolhe,
Guard Grade 'C',
Nasik Road,
Bhusawal Division,
Central Railway,
Bhusawal.

... Applicant.

(By Advocate Shri G.S. Walia)

VERSUS

1. Union of India through
The General Manager,
Central Railway,
Bombay V.T.
Bombay - 400 001.

2. The Divisional Railway
Manager,
Central Railway,
Bhusawal Division,
Bhusawal.

... Respondents

(By Advocate Shri R. R. Shetty).

OPEN COURT ORDER

PER : Shri Justice Ashok Agarwal, Chairman.

Applicant herein is similarly ^{placed} to Applicant in O.A. No. 630 of 1993 whose prayer, which is also similar to the one contained in the present application, has been granted by an order passed on 22.03.1994. As far as the present applicant is concerned, his prayer for Pensionary Benefits has already been granted by an interim order passed on 25.10.1993. The order

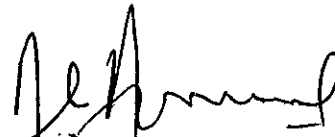
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provides that since the criminal proceedings are pending against the applicant since 1980 and the applicant has since retired on 30.07.1993, the Respondents are directed to pay the Pensionary Benefits, as sought by him in para 9 (a) of the application. The aforesaid order was sought to be reviewed on behalf of the Respondents by Review Petition No. 11/94, which application has been rejected on 21.02.1994. In fact, by the aforesaid interim order, the final relief which has been claimed in the application has been granted. Since the aforesaid relief has been granted to the Applicant by the aforesaid ^{interim} order ~~by passing a final order thereon~~, the aforesaid interim order is made absolute.

2. Applicant will be at liberty to claim other reliefs which are not specifically granted by this order, if and when he is absolved of the criminal charges against him. If, however, the Applicant is convicted of the charge, the Respondents will be at liberty to take proceedings in accordance with rules. No order as to costs.


(SHANTA SHASTRY)
MEMBER (A).


(ASHOK AGARWAL)
CHAIRMAN.

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