

(2)

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No: 851/93

Transfer Application No: --

DATE OF DECISION 13-12-93

David John

Petitioner

Mr.G.S.Walia

Advocate for the Petitioners

Versus

Union of India & Ors.

Respondent

Mr.J.G.Savant for Mr.V.G.Rege

Advocate for the Respondent(s)

CORAM:

The Hon'ble Shri Justice M.S.Deshpande, V.C.

The Hon'ble Shri M.R.Kolhatkar, Member(A)

1. ~~Whether Reporters of local papers may be allowed to see the Judgement ?~~
2. To be referred to the Reporter or not ? *W*
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 ? *W*


(M.S.DESHPANDE)
VC

M

NS/

(21)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

O.A.851/93

David John,
C/o. Shri G.S. Walia,
Advocate, High Court,
16, Maharashtra Bhavan,
Bore Masjid Street,
Fort, Bombay - 400 001.

.. Applicant

-versus-

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

2. Chief Personnel Officer,
Central Railway,
Bombay V.T.
Bombay - 400 001.

3. Senior Divl. Personnel Officer
Bombay Division,
Central Railway,
Bombay V.T.
Bombay - 400 001.

.. Respondents

Coram: Hon'ble Shri Justice M.S. Deshpande
Vice-Chairman

Hon'ble Shri M.R. Kolhatkar, Member(A)

Appearances:

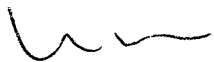
1. Mr. G.S. Walia
Advocate for the
Applicant.
2. Mr. J.G. Savant
for Mr. V.G. Rege
Advocate for the
Respondents.

ORAL JUDGMENT:
(Per M.S. Deshpande, V.C.)

Date: 13-12-93

Mr. G.S. Walia for the applicant and
Mr. J.G. Savant for Mr. V.G. Rege for the respon-
dents. Reply not filed.

2. By virtue of the order dt. 9-11-92 the
earlier application challenging the suspension
was disposed of (O.A.979/92) in view of the statement
made by the respondents counsel that the [redacted]
chargesheet was on its way. The chargesheet
dt. 20-10-92 was served on the applicant in
November, 1992. It is therefore clear that the



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statement which the respondents counsel had made that the chargesheet was on its way was correct and we cannot say that the facts stated by Shri Rege would have given the applicant a cause of action to challenge disciplinary proceedings.

3. Shri G.S.Walia states that he is in a position to come before us if the disciplinary proceedings are unduly delayed, as such liberty was given to him by the earlier order. He also states that the applicant is likely to retire within a year from now and having regard to the charges which has been framed it would cause hardship if the enquiry is delayed.

4. All that we need to say at this stage is that the Disciplinary Authority should see to it that the enquiry is completed earlier, as far as possible within a period of six months from the date of service of this order on the respondents subject to the applicant co-operating in the enquiry.

5. With this direction the application is disposed of.

M.R.K. Kolhatkar

(M.R.KOLHATKAR)
M(A)

M.S. Deshpande

(M.S.DESHPANDE)
V.C.



dt-13/12/93
order/Judgement despatched
to Applicant/Respondent (s)
on 23/12/93

A
11/12/93