

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No: 1012/94

Transfer Application No:

DATE OF DECISION: 11.10.94

S.R.Patdar Petitioner

Mr. S.S.Karkera Advocate for the Petitioners

Versus

U.O.I. & Ors. Respondent

Mr. A I Bhatkar Advocate for the Respondent(s)

CORAM :

The Hon'ble Shri

The Hon'ble Shri

1. To be referred to the Reporter or not ? *NO*
2. Whether it needs to be circulated to other Benches of the Tribunal ? *NO*


Vice Chairman

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, 'GULESTAN' BUILDING NO.6
PRESCOT ROAD, BOMBAY 1

O.A. NO. 1012/94

S.R. POTDAR

..APPLICANT

v/s

UNION OF INDIA & ORS.

..RESPONDENTS

Coram: Hon. Shri Justice M.S. Deshpande, V.C.

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

Appearance:

Mr. S.S. Karkera

counsel for applicant

Mr. A I Bhatkar for Mr. M I Sethna

Counsel for respondents

ORAL JUDGMENT:

DATED: 11.10.94

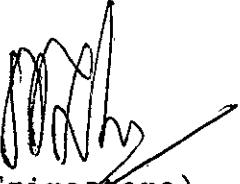
(Per.: M.S. Deshpande, Vice Chairman)

The only question which arises for consideration is whether the order dated 15.1.1986 (Exhibit C) directing the recovery of Rs.1,000/- and warning the applicant for the loss caused to the Government could have been passed without holding an inquiry.

2. Mr. Bhatkar, Ld. counsel for the respondents, very fairly states that no enquiry was held prior to imposing the punishment and ordering recovery.

3. It is obvious that the order resulting in civil consequences could not have been passed without holding

an enquiry. The impugned order is, therefore, quashed. Liberty to the respondents to take action, if so advised, after holding an inquiry. With this direction, the application is disposed of. No order as to costs.



(P.P.Srivastava)
Member



(M.S.Deshpande)
Vice Chairman

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