

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

9

ORIGINAL APPLICATION NO.282/95

Dated this Monday the 21st Day of February, 2000

M.K. Sarwade and
Nitin M. Sarwade

.. Applicants.

Shri G.S. Wallia,

.. Advocate for
the Applicants.

Vs.

Union of India & 2 Others

.. Respondents.

Shri V.S. Masurkar

.. Advocate for
the Respondents.

Coram : Hon'ble Shri D.S. Baweja, Member (A)
Hon'ble Shri S.L. Jain, Member (J)

- (i) To be referred to the Reporter or not? p
- (ii) Whether it needs to be circulated to other Bench of the Tribunal? p
- (iii) Library. p

(D.S. BAWEJA
MEMBER (A))

H.

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI.

Original Application No.282/95

Dated this Monday the 21st Day of February, 2000.

Coram : Hon'ble Shri D.S. Baweja, Member (A).
Hon'ble Shri S.L. Jain, Member (J).

1. M.K. Sarwade,
Retired Western Railway
Employee, Formerly working as
Accounts Assistant,
Under FA & CAO, Western Railway,
Head Quarters Office, Churchgate,
Bombay - 400 020.
2. Nitin M. Sarwade,
Working as Khallasi,
Under Chief Electrical
Foreman (ACC),
Western Railway,
Bombay Division,
Bombay Central,
Bombay - 400 008.

.. Applicants.

(Applicants by Shri G.S. Walia, Advocate)

Vs.

1. Union of India, through
General Manager,
Western Railway,
Headquarters Office,
Churchgate,
Bombay-400 020.
2. Divisional Railway Manager,
Bombay Division,
Western Railway,
Bombay Central,
Bombay - 400 008.
3. FA & CAO,
Survey and Construction,
Western Railway, Churchgate,
Bombay - 400 020.

.. Respondents.

(Respondents by Shri V.S. Masurkar, Advocate)

ORDER (Oral)

{ Per : Shri D.S. Baweja, Member (A) }

Heard Shri G.S. Walia and Shri V.S. Masurkar,
Counsel for the applicant and respondents respectively.

11

2. This O.A. had been filed by the applicant seeking regularisation of the quarter on father to son basis in the name of Applicant No.2. In addition, the Applicant No.1 also sought the reliefs of payment of the DCRG with interest and also directing the Respondents to issue post retirement passes to him.

3. The Respondents have filed written statement to which applicant has filed rejoinder.

4. Subsequently the Respondents have filed additional reply wherein it has been brought that eviction order had been passed under the public Premises (Eviction of Unauthorised Occupants) Act, 1971 and the applicants have already vacated the quarter on 28.9.1996.

5. In view of the vacation of the quarter by the applicants, the Counsel for the applicants submitted that he does not press for the O.A. However he makes a submission that with regard to the other reliefs of payment of DCRG and issue of post retirement passes, the matter may be left open with a liberty to the applicant to agitate the same if warranted subsequently.

6. In view of the above the O.A. stands disposed of as not pressed. The issue with regard to the reliefs of payment of DCRG and issue of post retirement passes is left open. The interim order stay granted if any earlier stands vacated accordingly. No order as to costs.

S.L. Jain
(S.L. JAIN)
MEMBER (J)

D.S. Baweja
(D.S. BAWEJA)
MEMBER (A)

H.