

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

Original Application No: 712/97

Date of Decision: 9.1.98

Shri Chandrakant Shah Narkar ----- Applicant.

Shri S.V. Mahadeshwar, ----- Advocate for
Applicant.

Versus

Central Board of Film Certification Respondent(s)
Min. of I & B, Mumbai.

Shri S.S. Karkera for Shri P.M. Pradhan Advocate for
Respondent(s)

CORAM:

Hon'ble Shri. Justice R.G. Vaidyanatha, Vice Chairman.

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

(1) To be referred to the Reporter or not? *W*

(2) Whether it needs to be circulated to *W*
other Benches of the Tribunal?

R.G. Vaidyanatha
(R.G. Vaidyanatha)
Vice Chairman.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH 'GULESTAN' BUILDING NO: 6
PRESCOT ROAD, MUMBAI:1

Original Application No. 712/97

Friday the 9th January 1998

CORAM: Hon'ble Shri Justice R.G.Vaidyanatha, Vice Chairman
Hon'ble Shri M.R. Kolhatkar, Member (A)

Chandrakant Shahu Narkar
A/207 'Gokul', N.M.Joshi
Marg, Bakari-adda,
Mumbai. Applicant.

By Advocate Shri S.V. Mahadeshwar.

V/s.

Central Board of Film
Certification(CBFC),
Govt. of India,
Ministry of I & B,
91-E, Walkeshwar Road,
Bharat Bhavan,
Mumbai. Respondents.

By Advocate Shri S.S.Karkera for Shri P.M. Pradhan.

O R D E R (ORAL)

(Per Shri Justice R.G.Vaidyanatha, Vice Chairman)

This is an application filed by the applicant claiming full payment of wages and allowances from 14.3.96. He is also challenging the condition imposed in the suspension order that " the applicant should also report to office every day at 11.00 A.M. and sign the attendance register. The respondents have filed reply opposing the application. We have heard both sides regarding the admission of the application.

2. It is brought to our notice that the Disciplinary enquiry has already completed and final order has to be passed by the Disciplinary Authority. In our view since the disciplinary enquiry is completed and final order has to be passed,



it may not be necessary to question the legality of suspension order. The question whether the applicant is entitled to full wages from 14.3.96 can also be decided by the Disciplinary Authority while passing the final order. If any adverse order is passed, the applicant can always approach this Tribunal for seeking arrears of any particular period. In the circumstances of the case we feel time limit be given to the Disciplinary Authority to pass the final order.

3. With the above observations the O.A. is disposed of with a direction to the Disciplinary Authority to pass final order within a period of one month from today. All question urged by the applicant in the application are left open. Even the question whether the applicant is entitled to full wages from 14.3.96 are left open. If any adverse order is passed by the Disciplinary Authority, ^{according to law.} the applicant can approach this Tribunal. No costs.

M.R.Kolhatkar
(M.R. Kolhatkar)
Member (A)

R.G.Vaidyanatha
(R.G. Vaidyanatha)
Vice Chairman

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