

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

Original Application No: 893/97; 894/97; 895/97

Date of Decision: 17-10-97

M. Murugalingam & Ors. Applicant.

Mr. G K Masand

Advocate for
Applicant.

Versus

U.O.I. & Ors.

Respondent(s)

Mr. S C Dhawan

Advocate for
Respondent(s)

CORAM:

Hon'ble Shri. Justice R.G. Vaidyanatha, V.C.

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

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

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

R. Vaidyanatha

V.C.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, 'GULESTAN' BUILDING No.6
PRESOT ROAD, MUMBAI 400001

OPEN COURT ORDER IN O.A.Nos. 893/97; 894/97 and 895/97

DATED: THIS 17TH DAY OF OCTOBER, 1997

1. M. Murugalingam
Room No 4, Ganesh Chawl,
Cross Road, Dharavi,
Mumbai 400017
Pointsman 'B'
Station Superintendent
Dadar, Central Railway ..Applicant in
O.A.No. 893/97

2. C. Muthu
Pointsman Gr.B
Room No.3, 1st floor,
Chawl No.14, Rajabali
Compound
Dharavi, Mumbai 400017 ..Applicant in
O.A.No. 894/97

3. P. Ponraj
Room No.75
Kamraj Nagar,
Sion Bandra Link Road,
Mumbai 400070 ..Applicant in
O.A.No. 895/97
(By Adv. Mr. G K Masand)

V/s.

1. Union of India through
the General Manager
Central Railway
CST, Mumbai

2. Chief Operating Manager
Central Railway
CST, Mumbai

3. Assistant Operating Manager
(Goods), Central Railway
CST, Mumbai
(By Adv. Mr. S C Dhawan, Counsel) ..Respondents

ORDER

[Per: R G Vaidyanatha, Vice Chairman]

1. Heard Mr. G K Masand, counsel for the applicant.
Mr. S C Dhawan, Counsel, takes notice on behalf of the
respondents.

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2. In these three applications the applicant is challenging the show cause notice issued by the General Manager, Central Railway, calling upon the applicants to show cause as to why the penalty imposed in the disciplinary enquiry should not be enhanced.

3. Applicants have filed these applications challenging the legality of the show cause notice. In our view this is not a fit case for this Tribunal to interfere, ^{at this stage.} It is open to the applicants to give reply to the show cause notice and take necessary defence before the competent ^{who may will have} authority ^{to} to pass orders according to law. Needless to add, if any adverse orders are passed, the applicants are at liberty to approach this Tribunal. But at this stage we are not inclined to go into the legality or otherwise of the show cause notice. All the objections and defence taken by the applicants regarding the show cause notice are left open. Hence all the three applications are rejected at the admission stage. No costs.

MR Kolhatkar

(M R Kolhatkar)

Member (A)

R. Vaidyanatha

(R G Vaidyanatha)

Vice Chairman