

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

Original Application No: 156/98

Date of Decision: 13.7.98

Shri Harishankar Dixit

Applicant.

Shri G.S.Walia.

Advocate for
Applicant.

Versus

Union of India and others.

Respondent(s)

Shri V.D.Vadhavkar.

Advocate for
Respondent(s)

CORAM:

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

Hon'ble Shri. D.S. Baweja, Member(A)

- (1) To be referred to the Reporter or not? *no*
- (2) Whether it needs to be circulated to other Benches of the Tribunal? *no*

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

NS

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

Original Application No. 156/98

Mombay the 13th day July 1998.

CORAM: Hon'ble Shri Justice R.G.Vaidyanatha, Vice Chairman
Hon'ble Shri D.S. Baweja, Member(A)

Harishankar Dixit
Residing at
F/20, Central Railway
Qtrs., Parel, Mumbai.

... Applicant.

By Advocate Shri G.S.Walia,

V/s.

Union of India through
General Manager,
Central Railway,
Head Quarters office,
Mumbai CST,
Mumbai.

Chief Workshop Manager
Central Railway's Parel
Workshop, Central Railway
Parel, Mumbai.

... Respondents.

By Advocate Shri V.D.Vadhavkar.

ORDER (ORAL)

¶ Per Shri Justice R.G.Vaidyanatha, Vice Chairman ¶

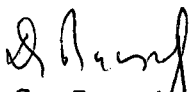
Heard counsel for both the parties for
some time.

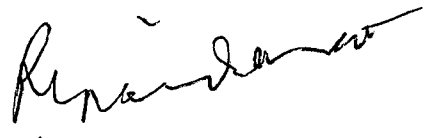
It is seen that the respondents have passed
the impugned order dated 24.1.98 fixing the pay of the
applicant provisionally subject to pending case. The
applicant's grievance is that the impugned order is
passed without hearing inspite of the the order of
this Tribunal dated 1.2.94 in O.A. 1307/93.

After hearing both the sides we are
satisfied that the impugned order is contrary with
the directions given by this Tribunal dated 1.2.94
in O.A. 1307/93. However we are not inclined to
quash the order, since ^{under this} ~~by that~~ order the applicant

...2...

has already received certain benefits. Therefore, we ^{order} advise to keep the order in abeyance. Liberty to the respondents to issue show cause notice to the applicant and after his reply or representation is received pass an appropriate speaking order and applicant's pay be fixed within a period of three months from the date of receipt of this order. Needless to say that if the applicant is aggrieved by any such order he will be at liberty to approach this Tribunal. The O.A. is disposed of accordingly. There will be no order as to costs.


(D.S. Baweja)
Member (A)


(R.G. Vaidyanatha)
Vice Chairman

NS