

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

ORIGINAL APPLICATION NO.: 476 of 1998.

Dated this Wednesday, the 26th day of June, 2002.

CORAM : Hon'ble Shri B. N. Bahadur, Member (A).

Hon'ble Shri Shankar Raju, Member (J).

Dr. R. K. Handa,
Residing at Flat No. M/61/D,
1st floor, Western Railway,
Dispensary Building,
Bombay Central,
Mumbai - 400 008.

Applicant

(By Advocate - Shri G. K. Masand)

VERSUS

1. Union of India through
The General Manager,
Western Railway,
Churchgate,
Mumbai - 400 020.

2. Railway Board,
Rail Bhavan,
New Delhi - 110 001.

Respondents.

(By Advocate Shri M.S. Ramamurthy)

O R D E R, (ORAL)

PER : Shri B. N. Bahadur, Member (A).

Learned Counsel, Shri G. K. Masand and Shri M.S. Ramamurthy are present on behalf of Applicant and Respondents respectively.

2. Shri Masand states that inspite of his attempt to contact the Applicant at the addresses given to him (Applicant has retired admittedly) there has been no response from the Applicant. Shri Masand, therefore, prays for withdrawal of appearance from the case.

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3. Shri Ramamurthy, Learned Counsel for Respondents, informs us, on the basis of instructions from the Department, that Applicant has since been penalised with 20% reduction in pension with respect to charge sheet dated 07.03.1998. This, indeed, is the very charge-sheet that is being challenged here. We have seen that the Applicant refers to the charge-sheet as 06.03.1988 whereas the letter being shown by Shri Ramamurthy shows the charge-sheet as dated 07.03.1988. In any case, in the charge-sheet under challenge, it seems that the matter is concluded. Since the Applicant has not been present despite attempts by his Learned Counsel and also, since the Railways have communicated to him through above address, it will serve no purpose if this case is continued. The case is, therefore, disposed of in the above circumstances with liberty to Applicant to challenge the order reducing his pension by 20% in accordance with law (made subsequent to filing of O.A.). The O.A. stands disposed of accordingly.

4. Copy of this order should be sent to the Applicant at both addresses indicated below, which is given to us by the Learned Counsel, Shri M.S. Ramamurthy. Shri Ramamurthy has provided a copy of letter dated 22.02.2002. which is taken on record.

ADDRESSES OF THE APPLICANT.

1. Dr. R. K. Handa,
Sai Service,
Greater Kailash Society,
Ground floor, S. V. Road,
Andheri (E), Mumbai.

2. Dr. R. K. Handa,
Retd. ADMO/Western Railway,
11/31, H.I.g. Colony,
Emerald Co.Op. Hsg. Scty. Limited,
Bandra Reclamation, Bandra (W),
Bombay - 400 050.

S. Raju
(SHANKAR RAJU)
MEMBER (J).

Bahadur

(B. N. BAHADUR)
MEMBER (A)

OS*

dt: 26.6.02
order/Judgement despatched
to Applicant/Respondent (s)
on 23.7.02

*CR
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