

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
NEW DELHI

O.A. No. 119/91  
T.A. No.

199

DATE OF DECISION 29.1.1991.

Shri Ramrao Sampatrao Kotangale Petitioner

Shri J.P. Verghese Advocate for the Petitioner(s)  
Versus

Union of India & Another Respondent

Shri P.H. Ramchandani Advocate for the Respondent(s)

**CORAM**

**The Hon'ble Mr. P.K. KARTHA, VICE CHAIRMAN(J)**

**The Hon'ble Mr. D.K. CHAKRAVORTY, ADMINISTRATIVE MEMBER**

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

JUDGMENT (ORAL)

(of the Bench delivered by Hon'ble Mr. P.K. Kartha,  
Vice Chairman(J))

We have heard the learned counsel of both parties.

The grievance of the applicant relates to the impugned Memorandum dated 12.12.1990, whereby the applicant has been offered the post of Grade V of the Central Labour Service on certain terms and conditions set out therein. The applicant is presently working as Assistant Labour Commissioner(Central) on ad hoc basis. He holds the substantive post of Labour Enforcement Officer. Para 6 of the impugned Memorandum is to the effect that if the applicant accepts the offer on the terms and conditions specified therein, he should communicate his

acceptance and also report for duty as Labour Officer at Ammunition Factory, Kirkee. The applicant has not accepted the offer. The respondents have also not, <sup>a further a</sup> therefore, proceeded with the said offer. The learned counsel of the respondents states that as the applicant has not accepted the offer of appointment, the question of giving effect to the offer of appointment pursuant to the impugned Memorandum dated 12.12.1990 would not arise. Consequently, we direct that the respondents shall not give effect to the impugned Memorandum dated 12.12.1990 and the applicant should not be relieved from his present cadre.

2. The application is disposed of on the above lines. There will be no order as to costs.

*D.K. Chakravorty*  
(D.K. CHAKRAVORTY)  
MEMBER (A)

*P.K. Kartha*  
(P.K. KARTHA)  
VICE CHAIRMAN (J)