

CORAM : Hon'ble Mr. P.H. Trivedi .. Vice Chairman  
Hon'ble Mr. P.M. Joshi .. Judicial Member

26.07.1989

Neither the petitioner nor his advocate present.  
Heard Mr. N.S. Shevde, learned advocate for the respondents. He states that the question in this case has been decided in our judgment dated 6.4.1989 in T.A./800/86 in so far as the interpretation of the circular on which the petitioner's case stands. In that judgment in the facts of that case it was stated that the circular allows for second option and the decision regarding the merits of the claim for seniority of the petitioner in that case was left to the respondent authority's passing a speaking order within the time stipulated. Such a speaking order in two cases have been passed, but the learned advocate for the respondent is not ready with a copy thereof nor has given the particulars thereof with a date or memo number. It is therefore, directed that he files the said speaking order with a copy to the petitioner within 15 days and the petitioner is at liberty to file written submission with reference thereto within 15 days thereof <sup>or to state</sup> and whether it will be appropriate to ask the respondent to pass a speaking order regarding the merits of the petitioner's case for seniority and promotion on merits to be determined thereby and <sup>thereon</sup> ~~if~~ so further orders can be passed ~~on the next day~~ for which the judgment ~~be~~ deferred.

*P.H. Trivedi*  
( P H Trivedi )  
Vice Chairman

*P.M. Joshi*  
( P M Joshi )  
Judicial Member

O.A/171/1987

6

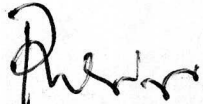
CORAM : Hon'ble Mr. P. H. Trivedi : Vice Chairman  
Hon'ble Mr. P. M. Joshi : Judicial Member

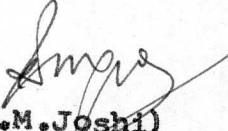
18/10/1989

ORDER

Per : Hon'ble Mr. P.H. Trivedi .. .. Vice Chairman

On perusal of the speaking order passed by the District Controller of Stores dtd.5-6-89 following the directions in TA/800/86 and TA/791/86 it is appropriate that this case be also referred to the said authority namely District Controller of Stores, Dahod to pass speaking orders. In doing so he will take into account the contentions raised in reply dtd.6-9-89 in MA/544/89 by the applicant in order to harmonise the interpretation in the said speaking orders and the speaking order now directed with the interpretation already made in our judgment in TA/800/86 and TA/791/86 dtd.6-4-89 which will govern this case. With this direction the case is disposed of. No order as to costs.

  
(P.H.Trivedi)  
Vice Chairman

  
(P.M.Joshi)  
Judicial Member

M.A./592/87

in

C.A./171/87

9

CORAM : Hon'ble Mr. P.H. Trivedi .. Vice Chairman  
Hon'ble Mr. P.M. Joshi .. Judicial Member

30/11/1987

Heard Mr. J.S. Yadav for Mr. S.V. Raju for the applicant and Mr. N.S. Shevde for the respondents. The case be posted in August, 1988 for final hearing. With this order M.A./592/87 stands disposed of.

*Phirri*  
( P H Trivedi )  
Vice Chairman

*Imjre*  
( P M Joshi )  
Judicial Member

\*Mogera

M.A./544/89


in

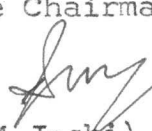
OA/171/87

Coram : Hon'ble Mr. P.H. Trivedi : Vice Chairman  
Hon'ble Mr. P.M. Joshi : Judicial Member

6/9/1989

Heard Mr.N.S.Shevde and Mr.S.V.Raju, learned advocate for the petitioner(ori.respondent) and for the respondent (ori.applicant). The documents filed by Mr.Shevde be allowed to be taken on record and MA/544/89 disposed of accordingly. Mr.Raju wants to file written submissions with reference thereto also <sup>to</sup> be placed on record. Allowed. Mr.Shevde wants to file a reply with reference to this submission because Mr.Raju according to him has taken some new grounds. He is allowed to do so within two days. The case is deferred for judgment on a date to be notified.

  
(P.H.Trivedi)  
Vice Chairman

  
(P.M.Joshi)  
Judicial Member

a.a.bhatt