

## IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

AHMEDABAD BENCH  
NEW DELHI

O.A. No. 309

1987

~~KA-XX~~

DATE OF DECISION 16-4-1990

Shri Chandubhai &amp; Another Petitioner

Shri B.T.Rao Advocate for the Petitioner(s)

Versus

Union of India &amp; Another Respondent

Shri B.R.Kyada Advocate for the Respondent(s)

## CORAM

The Hon'ble Mr. P.H.Trivedi

: Vice Chairman

The Hon'ble Mr. N.Dharmadan

: Judicial 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?

Shri Chandubhai  
Shri Babubhai  
C/o. Office of the Executive  
Engineer (Construction),  
Jamnagar,  
(Adv. Mr. B.T.Rao)

: Applicants

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Versus

1. Union of India  
Through:  
General Manager,  
Western Railway,  
Churchgate, Bombay.

2. Executive Engineer,  
(Construction),  
Western Railway,  
Jamnagar.

(Adv. Mr. B.R. Kyada)

: Respondents

Coram : Hon'ble Mr. P.H. Trivedi  
Hon'ble Mr. N.Dharmadan

: Vice Chairman  
: Judicial Member

O.A./309/87  
O R A L O R D E R

Date: 16/4/1990

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

: Vice Chairman

Heard Mr. B.T. Rao, learned advocate for the petitioners. He asks for time because he says that he has lost his brief. This cannot be a sufficient reason for giving adjournment <sup>Postponed for</sup> that the request made on the very day of hearing is ~~is~~ posted. Learned advocate for the respondents states that the petitioners' services have been terminated after giving due notice and compensation as required under the Industrial Disputes Act. The only other plea is regarding discrimination. It is found that ~~the petitioners~~ <sup>of the petition</sup> in para-2 names of 9 persons have been stated, who it is claimed, are juniors to the petitioners and who have been retained. In reply the respondent has denied that ~~the~~ juniors are retained. No particulars of the nine persons either regarding their date of appointment or regarding the employment card number are stated with reference to which the respondents have no opportunities to deny them to <sup>As per</sup> the facts of the case regarding discrimination. In the circumstances the plea of the


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discrimination cannot be stated to have any merit.

Learned advocate for the petitioners stated that the petitioners' names <sup>have</sup> ~~has~~ been included in the seniority list. He is therefore <sup>requested for</sup> ~~has~~ an opportunity to make a representation with reference to <sup>his</sup> ~~the~~ particulars and we <sup>will</sup> ~~be~~ confident that the respondent ~~be~~ passed orders as merited in the case according to the extant rules and instructions. *are* <sup>if such a representation is made by the applicant.</sup>

Subject to the above observations, we do not find that the petition has any merit and reject the same. No order as to costs.

  
(N. Dharmadan)  
Judicial Member

  
(P. H. Trivedi)  
Vice Chairman

a.a.bhatt