

Patmotsav
(No.)

6

CAT/J/12

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

AHMEDABAD BENCH
NEW XIX EXHIX

O.A. No.
~~XXXVII~~

589 of

1988.

DATE OF DECISION 19.11.1991

Mr. H.P. Rajjada

Petitioner

Mr. D.M. Thakkar

Advocate for the Petitioner(s)

Versus

Union of India & Ors.

Respondent

Mr. B.R. Kyada

Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. R.C. Bhatt Member (J)

The Hon'ble Mr. S. Gurusankaran Member (A)

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?

19/11

(2)

H.P. Raigada,
E-66, Railway Quarter,
Opp. City Gate Station,
Surendranagar.

.. Applicant

Versus

1. Union of India,
Through,
General Manager, W. Rly.
Churchgate,
Bombay.
2. Divisional Rly. Manager(E),
Kothi Compound,
Rajkot.
3. Station Superintendent,
Western Railway,
Surendranagar.

.. Respondents

O.A. No. 589 of 1988

O R A L - O R D E R

Dated : 19.11.1991

Per : Hon'ble Mr. S. Gurusankaran .. Member (A)

Mr. D.M. Thakkar learned counsel for the applicant and Mr. B.R. Kyada, learned counsel for the respondents. We have heard the learned counsel for the parties.

2. Counsel for the applicant states that the applicant has been since called for the selection and ^{and} promoted after due selection, hence as far as the main relief is concerned regarding his promotion has already been granted and to this extent the application becomes infructuous. However, since the applicant has been called for promotion only on a later date and he is eligible for promotion from a retrospective date viz. the date his junior was promoted after due selection, he stated that the applicant would make a representation with regard to this matter

to the respondents to give him all the consequential reliefs due in accordance with the rules. In case he is not satisfied with the relief granted, he may be given liberty to approach this Tribunal by a fresh application.

3. Mr. Kyada, counsel for the respondents fairly admits that in case the applicant makes a representation, same will be given due consideration and suitable orders will be passed in accordance with the rules.

4. Since the main relief sought for in this application viz. calling for selection and being promoted to the post of Goods Guard Grade 'C' have already been granted to the applicant, the application does not survive as far as these reliefs are concerned. However, as the applicant has prayed for consequential reliefs also, we direct the respondents to consider the representation that the applicant may make within a period of one month from the date of this order and pass suitable orders on the same in accordance with the rules. In case, the applicant is not satisfied with the orders passed on his representation, it is open for him to approach this Tribunal with a fresh application for seeking redressal of his grievance. Application is disposed of. No order as to costs.

Gurusankaran
19/11/1991
(S Gurusankaran)

Member (A)

Nesr
(R C Bhatt)
Member (J)