

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH
~~NEW DELHI~~

O.A. No. 405 of 1989.
~~Ex. No.~~

DATE OF DECISION 5.10.1989

M. Rajendran & Ors. Petitioner

Mr. P.S. Handa Advocate for the Petitioner(s)

Versus

Union of India & Ors. Respondent

Mr. J.D. Ajmera Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. G.S. Sharma Judicial Member

The Hon'ble Mr. M.M. Singh 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?

1. M. Rajendran
2. Chanderkant D. Sheth
3. Kumudchandra A. Raval,
4. Rupabhai K. Chandana
5. Haritsingh B. Rana
6. Chanderkant G. Gohel
7. Ghanshyam L. Acharya
8. Chandervadan K. Patel
9. Kanubhai D. Chauhan
10. Ghanshyam A. Pandya

Audit Office, A.G. (Audit),
Gujarat, Ahmedabad.

.. Applicants

(Advocate - Mr. P.S. Handa)

Versus

1. Union of India,
Secretary,
Ministry of Finance,
New Delhi.
2. Comptroller & Auditor General
of India,
10, Bahadurshah Zafar Marg
Indraprastha H.P.O.,
New Delhi - 2.
3. Accountant General (Audit) I,
M.S. Bldg., C-Block 8th floor,
Lal Darwaja, Ahmedabad.
4. Accountant General (Audit) II,
Race Course, Rajkot.

.. Respondents

(Advocate - Mr. J.D. Ajmera)

CORAM : Hon'ble Mr. G.S. Sharma .. Judicial Member

Hon'ble Mr. M.M. Singh .. Administrative Member

O R A L - O R D E R


O.A. No. 405 of 89

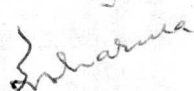
5.10.1989

Per : Hon'ble Mr. G.S. Sharma .. Judicial Member

The Ten officials working in the A.G. Office at Ahmedabad have filed this application under section 19 of the Administrative Tribunals Act, 1985 for a direction to restrain the respondents from passing any illegal & discriminatory orders of absorption of surplus Accounts and Entitlement staff in Audit Wing as the orders being contrary to M.I.R. instruction. Mr. P.S. Handa, learned counsel for applicant appears and states that the respondents are contemplated to pass some orders and we should atleast do something to safeguard their interest. He has placed his reliance on certain provisions

of M.I.R. instructions. After a careful ^{consideration} instruction of the points raised before us, we are of the view that this petition is pre-matured. The established position is that the Government can change the service conditions ^{unilaterally} and when any change ^{takes} effect, aggrieved persons can have a right to approach the Court for suitable redress. Nothing has been done by the respondents against the ^{interest} nature of the applicants so far and it is ^{also} not clear that any such thing ^{is going to} be done. The applicants ^{will} have a right to ^{approach this Tribunal} ~~address his grievance~~ ^{adversely} when any change is made by the respondents effecting their service conditions. This petition is pre-matured ^{is} and dismissed at the stage of admission.


(M M Singh)
Administrative Member


(G S Sharma)
Judicial Member

*Mogera