

# CENTRAL ADMINISTRATIVE TRIBUNAL

## AHMEDABAD BENCH

**O.A. NO.** 24 of 1990

~~For NO~~

DATE OF DECISION 06.9.1994.

Shri N.D.Dhumda Petitioner

Shri P.S.Chari Advocate for the Petitioner (s)

Versus

Union of India and ors. Respondent

Shri Akil Kureshi Advocate for the Respondent (s)

CORAM

The Hon'ble Mr. K. Ramamoorthy : Member (A)

The Hon'ble ~~Mr.~~ Dr. R. K. Saxena : Member (J)

### JUDGMENT

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

} No

Shri N.D.Dhumda,  
F.29, Mahaprakash Apartment,  
Purshottamnagar,  
Subhash Bridge, Sabarmati,  
Ahmedabad - 380 027.

..... Applicant

(Advocate : Mr. P.S.Chari)

Versus

1. Regional Provident Fund Commissioner,  
Bhavishyanidhi Bhavan,  
Near Income Tax Circle,  
Ashram Road, Ahmedabad-14.
  2. Union of India,  
Through Ministry of Labour & Welfare,  
Shram Shakti Bhavan,  
Parliament Street, New Delhi.
  3. Central Board of Trustees,  
Through Central Provident Fund Commissioner,  
9th Floor, Mayur Bhavan,  
Cannaught Circle, New Delhi.
  4. Central Provident Fund Commissioner,  
9th Floor, Mayur Bhavan,  
Cannaught Circle,  
New Delhi.
- ..... Respondents

(Advocate : Mr. Akil Kureshi)

J U D G M E N T

O.A. NO. 24 OF 1990

Date: 6-9-1994

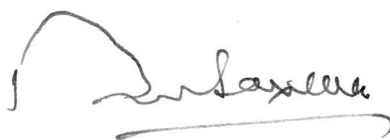
Per : Hon'ble Dr. R.K. Saxena : Member (J)

This case was disposed off on 5-9-1994 by dismissing for default but before the judgment would be signed, the learned counsel for the applicant made a request to hear him and therefore, the case was fixed for final hearing today i.e. 6-9-1994.

2. Heard the learned counsel for the applicant and the respondents. It has been pointed out by the learned counsel for the applicant that a representation for fixing the seniority correctly was made by

(11)

by him to the respondents and acknowledgement of the same dated 23-4-1990 was sent to the applicant mentioning about the consideration of the representation. It has been pointed out by learned counsel for the applicant that what decision has been taken on the representation, has not been intimated so far. The learned counsel for the respondents ~~has~~ is also not aware if any decision is taken. Technically any representation or appeal or revision, if pending, before filing the application, ~~it~~ <sup>it</sup> comes to an end. But the learned counsel for the applicant wants an opportunity to move afresh to the respondents by way of giving a representation for considering the seniority in accordance with the rules. We do not find any difficulty and therefore, we allow the applicant to withdraw the application with ~~a~~ liberty to approach the Tribunal after the representation which shall be made within four weeks and shall be disposed off by the respondents within eight weeks thereafter, if any grievance still remains. The application is disposed off accordingly.



(Dr. R.K. Saxena)  
Member (J)



(K. Ramamoorthy)  
Member (A)