

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH, AHMEDABAD.

(i)

RA/M.A./O.A./ T.A./ 101 90
1980

H N Patel

Applicant (s).

B B Gajad

Adv. for the
Petitioner (s).

Versus

Union of India v Respondent (s).

B & F

Adv. for the
Respondent (s).

SR NO.	DATE.	ORDERS,
		Transfer (Copy not Served) ROAD received Resp. 2 Rept in OA/101/90 (19/03)
		Notice returned un-served from applicant with endorsement - 1 leg by 29/13

M.A./62/90
in
O.A. Stamp No. 15/90

(1)

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

6.3.1990

Heard Mr. B.B. Gogia and Mr. B.R. Kyada, learned advocates for the applicant and respondents respectively. The question of limitation will be heard alongwith the merits of the main case. With this order, M.A./62/90 stands disposed of. The O.A. Stamp No. 15/90 be numbered as O.A. and placed for admission.

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

*Mogera

23.3.90

CORAM: Hon'ble Shri G.Sreedharan Nair, V.C.
Hon'ble Shri M.M.Singh, Member (A)

Heard Mr. B.B. Gogia on behalf of the applicant and Mr. B.R. Kyada, who entered appearance for the respondents.

2. The relief that is claimed in the application is for a direction to the respondents to transfer the applicant back to the post of Batteryman. By the order dated 5.4.1988, the applicant was "promoted on provisional basis" and posted as ESM Batteryman Grade III, on the post in the same pay and scale. It was submitted by counsel of the respondents that this order has been implemented. As such, there is no scope for the issue of a direction by us at this stage as prayed for in the application. However, ~~since~~ counsel of the applicant submitted that certain other persons, who were so posted by the same order, had represented against the order and allowing their representations, the order was cancelled. If that be so, it will be open to the applicant also to make a representation in which case it shall be duly considered and disposed of by the respondents.

3. Subject to the aforesaid observation, the application is rejected.

M. M. Singh

(M.M.Singh)
Member(A)

G.S.Nair
23.3.1990
(G.Sreedharan Nair)
Vice-Chairman