

B
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

O.A. No. 349 of 1992.
T.A. No.

DATE OF DECISION 4th September 1992.

Shri M. M. Hakikmiya Petitioner
Shri M. S. Trivedi 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. : N. V. Krishnan Vice Chairman.

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

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 Mohmed Halim Mohmed Hakikmiya
Casual Labour,
Dist. Hitmatnagar.

.....Applicant

Advocate : Shri M.S. Trivedi

Versus

1. Union of India, through
The Director General
Ministry of Telecommunication,
New Delhi.
2. The Chief General Manager,
Telecommunication, Gujarat Circle,
Ahmedabad - 9.
3. Telecom District Engineer,
Himatnagar Division,
Himatnagar 383 001.

.....Respondents.

Advocate : Shri Akil Kureshi.

ORAL JUDGEMENT

O.A. 349 of 1992.

Date : 4th Sept. 1992

Per Hon'ble : Shri R. C. Bhatt Member (J).

Shri M. S. Trivedi, Advocate, for the applicant
and Shri Akil Kureshi, Advocate for the respondents.

1. The applicant states that he was intimated on 20-2-87 by the Annexure A-1 letter that he was provisionally selected for the post of regular Majdoor against the vacancy of 1986. He was subsequently informed by the Annexure A-3 letter dated 25-2-87 that his name has been kept in B list to make good the short fall in A list, he also said that therefore his selection does not make him eligible for appointment as regular Majdoor. The Memo dated 26-2-1987 Annex. A-4 is a list of persons appointed with the respondents as regular Majdoor on the recommendation of the D.P.C, the applicants name does not figure therein. Under these circumstances applicant submitted representation dated ~~23-10-1991~~ to the Chief General Manager, Telecom, Gujarat, the second respondent on 23-10-91 inspite of the subsequent reminder on 14-7-91 Annexure A-7 , he has not recieved the reply hence he has filed this application seeking the following reliefs :

- (A) That the Hon'ble Tribunal be pleased to Admit this this application.
- (B) That the Hon'ble Tribunal be pleased to quash and set aside memo dt. 25-2-1987 issued by the respondent no.3. regarding keeping the name of the applicant in 'B' list.
- (C) That the Hon'ble Tribunal be pleased to declare that the applicant was entitled for appointment for the post of Regular Majdoor from 20-2-1987.
- (D) That the Hon'ble Tribunal be pleased to direct the respondents, its sub-ordinates to give promotion with all consequential benefits to the applicant from 26-2-1987.

2. When the application came for admission today the Learned Counsel for the applicant submitted that he will be satisfied if the directions is given to the respondents to dispose off within a reasonable period. The learned Counsel for the Respondents Shri Akil Kureshi, who appeared for the other side do not have any serious objection with such directions.

3. Under these circumstances We admit this application and dispose it off at the admission stage itself with the direction to the respondent no.2 to dispose Annexure A-5 representation dated 23-10-91, within a period of four weeks from the date of receipt of this order.



(R.C.Bhatt)

Member (J)



(N.V.Krishnan)

Vice-Chairman.