

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

O.A. No. 306 of 1993.
~~XXXXXX~~

DATE OF DECISION 23.09.1993,

Shri H.B.Desai 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. R.C.Bhatt : Member (J)

The Hon'ble Mr. M.R.Kolhatkar : 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 ? ✗

Shri H.B.Desai,
News/Film Librarian,
Doordarshan Kendra,
Ahmedabad.

...Applicant.

(Advocate : Mr.M.S.Trivedi)

Versus

1. Union of India (through)
Director General Doordarshan,
Doordarshan Bhavan,
Mandi House,
New Delhi.

2. The Director,
Doordarshan Kendra,
Ahmedabad.

...Respondents.

(Advocate : Mr.Akil Kureshi)

ORAL JUDGMENT
O.A.NO. 306 OF 1993.

Dated : 23rd Sept.1993.

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

This application is filed by the applicant under
Section 19 of the Administrative Tribunals Act, 1985, against
the respondents seeking the relief as under :

- "(A) That the Hon'ble Tribunal be pleased
to admit this application.
- (B) That the Hon'ble Tribunal be pleased
to quash and set aside action on
the part of the respondents regard-
ing not declaring the applicant as
Govt.servant vide memo dated
20.4.1993.
- (C) That the Hon'ble Tribunal further
be pleased to direct the respondent
authority/its subordinate to
declare the applicant as government
servant and include the name of
the applicant in memo dated
20.4.1993.

(D) That the Hon'ble Tribunal be pleased to direct the respondent authority its subordinates to notify the name of the applicant to the seniority list of News film Librarian.

(E) Any other further relief that the Hon'ble Tribunal may deem fit may be given."

2. At the time of admission, we pointed out to the learned advocate Mr.M.S.Trivedi, that the relief which the applicant seeks in this matter had been the relief para-7-B, in previous O.A./34/93, which was decided by this Tribunal, on 28th January, 1993. We also invited his attention that the said relief 7-B was withdrawn by the applicant. The copy of the decision in O.A./34/93, produced by the applicant is at Annexure-A/7. We have heard both the learned advocates on admission. However, before we could take a decision about the admission of this matter, the respondents produced before us O.M. dated 14.09.1993, issued by the respondent no.1 with regard to the subject of O.A./306/93, which was filed by this applicant before this Tribunal. Learned advocate Mr.Akil Kureshi, for the respondents submits that in view of this O.M., probably the applicant would have no grievance now. Reading this O.M. apparently, it appears that now the applicant will have no grievance. However, if the ultimate interpretation of this O.M. in case goes against this applicant, he would be at liberty to file a fresh

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O.A. before us and in that event both the parties will be entitled to agitate their question according to law.

Therefore, at this stage reading this O.M. we find that the applicant has ^{probably} got relief which he seeks in this O.A.

3. The application is disposed of accordingly with the liberty to the applicant to file a fresh O.A. if the interpretation of this OM goes against him ~~as and when~~ ^{he} files the fresh O.A., ~~in case it is necessary to file.~~

The parties would be at liberty to raise all questions in that matter. The application is disposed of at this stage.

No order as to costs.

M.R. Kolhatkar
(M.R.Kolhatkar)
Member (A)
23.09.1993.

R.C. Bhatt
(R.C.Bhatt)
Member (J)
23.09.1993.

AIR

CENTRAL ADMINISTRATIVE TRIBUNAL

AHMEDABAD BENCH

AHMEDABAD.

Application No. 02/306/93 of 199

Transrer Application No. — Old writ Pet. No.

C E R T I F I C A T E

Certified that no further action is required to be taken
and the case is ift for consignment to the Record Room (Decided).

Dated : 07/10/93

Countersigned :

aphegan 5-11-93
Section Officer/Court Officer

pm
Sign. of the Dealing Assistant.

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H. B. Desai.

U.O.I. & Ans.

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