

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

O.A. No./471/93
T.A. No.

DATE OF DECISION September 21, 1993.

Shri P.V.Parmar	Petitioner
Mr.B.B.Gogia	Advocate for the Petitioner(s)
Versus	
Union of India & others	Respondent
Mr.B.R.Kyada	Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. R.C.Bhatt : Judicial Member

The Hon'ble Mr. M.R.Kolhatkar : 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 ? ✗

Pitamber Valabhai Parmar,
Aged about 40 yrs.Hindu,
Occ: Service,
Working as Mason under
Inspector of Works(C),
Banasthali Niwai :304 021
Dist: TONAK : (RAJASTHAN)

...APPLICANT

Advocate : Mr.B.B.Gogia

VERSUS

1. Union of India,
owning & Representing
Western Railway,
through: General Manager,
Western Railway,
Churchgate,
Bombay-400 020
2. Dy.Chief Engineer(Const.),
Western Railway,
JAIPUR-: (RAJASTHAN)
3. Divisional Railway Manager,
Western Railway,
Kothi Compound,
RAJKOT : 360 001

....RESPONDENTS

Advocate : Mr.B.R.Kyada

ORAL ORDER

O.A.471/93

Date:21/9/1993

Per : Hon'ble Shri R.C.Bhatt,
Judicial Member

Mr.Gogia is present for the
applicant and Mr.Kyada waives notice and appears for
the respondents.

2. This matter is admitted. It can
be disposed of finally at this stage by giving directions
to the respondents. The reliefs sought by the applicant
in this application ^{are} as under :-

- (a) Respondents may please be directed to absorb the applicant as Mason in Engineering Department on the geographical jurisdiction on Rajkot division and /or may be considered for transfer on his own request to Rajkot division as an alternative.
- (b) Any other better relief/s as deemed just and proper in the circumstances of the case may also be granted as an alternative.
- (c) Const of this petition be awarded to the applicant from the respondents.

3. Learned advocate Mr.Gogia for the applicant submitted that similar case was filed by one Baldev Samji in this Tribunal being O.A./505/89 and it was disposed of on merits on 14/7/1992 by this Bench by giving opportunity to the applicant to file representation before the competent authority ^{in the} respondents about his claim for absorption and the said respondents were directed to consider it and to dispose ~~it~~ of according to law. He submitted that this application can also be disposed of accordingly. Learned advocate Mr.Kyada submits ^{that} the respondents have ^{no} objection, if the applicant files representation about his claim, the same will be considered and disposed of by the competent respondents according to law. Therefore, we admit and dispose ~~d~~ of this application finally as under.

4.

ORDER

The applicant may ,within four weeks from the date of receipt of this order,prefer detailed representation to the third respondent,Divisional Railway Manager,Western Railway,Rajkot, stating about his claim

for absorption on open line (Rajkot Division) in accordance with^m the seniority list and if such representation is received by respondent no.3, the respondent no.3. is directed to consider it and to dispose it of according to the rules applicable to the applicant within 4 months from the receipt of such representation and to intimate the result of the representation to the applicant. Application is disposed of. No order as to costs.

M.R. Kolhatkar

(M.R.KOLHATKAR)
Administrative Member
Date: 21/9/1993

R.C. Bhatt

(R.C.BHATT)
Judicial Member
Date: 21/9/1993

SSH

CENTRAL ADMINISTRATIVE TRIBUNAL

AHMEDABAD BENCH

AHMEDABAD.

Application No. 08/A71/93 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 :

5-10-93

Countersigned :

[Signature]
05-10-93

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Section Officer/Court Officer

Sign. of the Dealing Assistant.

[Signature]
5-10-93

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Mr. F. V. Ramsey

21.0-I. and other

[illegible]