

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

AHMEDABAD BENCH

*No
promotion*

O.A. No. 143 / 1993
T.A. No.

DATE OF DECISION 15-4-1993

Shri T.K. Rathod Petitioner

Shri J.M. Baxi Advocate for the Petitioner(s)

Versus

Union of India and Others Respondent

Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. N.B. Patel Vice Chairman.

The Hon'ble Mr. V. Radhakrishnan 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 ?

No

Shri Tribhovan Kanji Rathod
 Mochisar No.2, Behind Subhas Market,
 Jamnagar, (Gujarat) Pin 361 001.

Applicant

Advocate Mr. J.M. Baxi

Versus

1. The Union of India owing the Army Headquarters, Through The Engineer-in-Chief, Kashmir House, D.H.Q.P.O. New Delhi 110 001.
2. The Chief Engineer (Army) Ahmedabad Zone, Ahmedabad, Gujarat 380 003.
3. The Garrison Engineer (Air Force) Air Force Station, Jamnagar 361 003

Respondents.

O R A L J U D G E M E N T

In

O.A. 143 of 1993

Date: 15-4-1993

Per Hon'ble Shri N.B Patel

Vice Chairman.

The applicant and his advocate are not present.

Dismissed for default.


 (V. Radhakrishnan)
 Member (A)


 (N.B. Patel)
 Vice Chairman.

*AS.

DATE	ENGLISH REPORT	ORDER
18-8-93		<p>M.A. allowed. Order dismissing O.A. 143/93 set aside. O.A. restored to file.</p> <p>2. Notice pending admission returnable on 17-9-1993.</p>
	<p><i>Reop. Subs</i></p> <p><u>Notice is made</u> 20/8/93</p> <p><i>Pathak</i></p>	<p><i>BR</i></p> <p>(V. Radhakrishnan) Member (A)</p> <p>(N.B. Patel) Vice-Chairman.</p>
17/9/93		<p><u>O.A./143/93</u></p> <p>Mr. Pathak has filed appearance for the applicant. His name may be shown on the Board. Adjourned to 24.9.1993.</p>
24/9/93		<p><i>BR</i></p> <p>(V. Radhakrishnan) Member (A)</p> <p>(N.B. Patel) Vice-Chairman</p> <p>For want of time the matter is adjourned to 13/10/93.</p>
		<p><i>BR</i></p> <p>(V. Radhakrishnan) Member (A)</p> <p>(N.B. Patel) Vice-Chairman</p>

OA 103/93

Date	Office Report	Order
13-10-1993		<p>Heard Mr. Pathak and Mr. Kureshi. In this case the applicant has claimed two unconnected reliefs, namely in respect of his promotion to the post of R.M. and in respect of the pay scale to which he is entitled with effect from 16-10-1981. Mr. Pathak, for the applicant, states that in the present application, the applicant would press prayer no.4 of the application, which relates to his grievance regarding pay scale available to him. He states that the applicant will file a separate application, so far as the relief regarding his promotion and consequential reliefs i.e. reliefs no. 1, 2, 3, & 5, are concerned. The present application will, therefore, be confined to and proceeded with only in respect of relief no.4 claimed in the application. The applicant, if thought fit by him, may file a separate application in respect of his other grievance regarding his non-promotion.</p> <p><u>Admitted.</u> Reply to be filed within three weeks. If reply is filed within the said stipulated period, rejoinder may be filed within one week after the filing of the reply. Reply and rejoinder be accordingly filed in the office. Whether reply and rejoinder are filed or not within the stipulated period, the matter may be fixed for final hearing in due course by the Office.</p> <p><i>[Signature]</i></p> <p>(V. Radhakrishnan) Member (A)</p> <p>(N.B. Patel) Vice Chairman.</p> <p>*AS.</p>

18-11-99

Heard. Oral order passed separately.

(A. RAMAKRISHNAN)

(A.S. SANGHAVI)
MEMBER (J)(V. RAMAKRISHNAN)
VICE CHAIRMAN

A

(V. RAMAKRISHNAN)
VICE CHAIRMAN(V. RAMAKRISHNAN)
(T) RAMAKRISHNAN

(V. RAMAKRISHNAN)

(A.S. SANGHAVI)
(T) SANGHAVI

(V. RAMAKRISHNAN)

(V. RAMAKRISHNAN)

DATE	OFFICE REPORT	ORDER
22.07.99		<p>As the Division Bench is not available, adjourned to 01.09.99.</p> <p style="text-align: right;">(V. Radhakrishnan) Member (A)</p> <p>mb</p>
1-9-99		<p>Mr. Pathak says that he has not received the copy of the reply statement. Copy should be given to him. Mr. Pathak prays for 2 weeks time. Adjourned to 22-9-99.</p> <p style="text-align: right;">(A.S. Sanghavi) (V. Ramakrishnan) Member (J) Vice Chairman</p> <p>ss</p>
22.9.99		<p>Adjourned to 13.10.1999.</p> <p style="text-align: right;">(P.C. Kannan) (V. Ramakrishnan) Member (J) Vice Chairman</p> <p>vtc.</p>
13.10.99		<p>Mrs. Sheth enters appearance for the respondents in place of Mrs. Safaya and prays for a short adjournment.</p> <p>Adjourned to 18.11.1999.</p> <p style="text-align: right;">(A.S. Sanghavi) (V. Ramakrishnan) Member (J) Vice Chairman</p> <p>pmr</p>

18-11-99

Heard. Oral order passed separately.

(A.S.SANGHAVI)
MEMBER (J)

(V.RAMAKRISHNAN)
VICE CHAIRMAN

SS

DATE	OFFICE REPORT	ORDER
22.07.99		<p>As the Division Bench is not available, adjourned to 01.09.99.</p> <p style="text-align: right;">(V. Radhakrishnan) Member (A)</p> <p style="text-align: center;">mb</p>
1-9-99		<p>Mr. Pathak says that he has not received the copy of the reply statement. Copy should be given to him. Mr. Pathak prays for 2 weeks time. Adjourned to 22-9-99.</p>
		<p style="text-align: center;">A.S. SANGHAVI MEMBER (J)</p> <p style="text-align: right;">(V. RAMAKRISHNAN) VICE CHAIRMAN</p>
22.9.99	ss	<p>Adjourned to 13.10.1999.</p>
		<p style="text-align: center;">(P.C. Kannan) Member (J)</p> <p style="text-align: right;">(V. Ramakrishnan) Vice Chairman</p>
		<p style="text-align: center;">vtc.</p>
13.10.99		<p>Mrs. Sheth enters appearance for the respondents in place of Mrs. Safaya and prays for a short adjournment.</p> <p>Adjourned to 18.11.1999.</p>
		<p style="text-align: center;">(A.S. Sanghavi) Member (J)</p> <p style="text-align: right;">(V. Ramakrishnan) Vice Chairman</p>
		<p style="text-align: center;">pmr</p>

CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

O.A. 143/93

DATE OF DECISION :- 18/11/99

Mr. T.K.Rathod : Petitioner [s]

Mr. P.H.Pathak : Advocate for the petitioner [s]

Versus

Union of India & ors : Respondent [s]

Mrs.P.B.Sheth : Advocate for the Respondent [s]

CORAM

THE HON'BLE MR. V.RAMAKRISHNAN : VICE CHAIRMAN

THE HON'BLE MR. A.S.SANGHAVI : 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?

Tribhovan Kanji Rathod,
Residing at Mochisar No.2,
B/H Subhas Market,
Jamnagar.

Applicant

Advocate Mr.P.H.Pathak

Versus

1. Union of India, Through :
The Engineer In Chief,
Kashmir House,
D.H.Q.P.O. New Delhi.
2. The Chief Engineer [Army],
Ahmedabad Zone,
Ahmedabad.
3. The Garrison Engineer [Air Force],
Air Force Station,
Jamnagar.

Respondents

Advocate Mrs.P.B.Sheth

O R D E R [oral]
In
O.A.NO.143/93

Dt.18.11.99

W
Per Hon'ble Mr.V.Ramakrishnan Vice Chairman

1. Heard Mr.Pathak and Mrs.P.B.Sheth. Mr.Pathak now submits that the applicant would prefer to seek his remedy under the Labour Laws and seeks leave to withdraw the present O.A. Leave granted. O.A. stands disposed of as withdrawn.
2. As regards the liberty to approach the Industrial Tribunal, the applicant can take recourse^{to} whatever remedies^{are} available to him under the laws.

A. S. Sanghavi
[A.S.SANGHAVI]
MEMBR [J]

V.Ramakrishnan
[V.RAMAKRISHNAN]
VICE CHAIRMAN

S.Solanki ***

CENTRAL ADMINISTRATIVE TRIBUNAL, DELHI

Application No.

08/143/93

of 19

Transfer Application No.

Old Writ. Pet. No.

CERTIFICATE

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

Dated: 08-12-99

Countersigned.

15-12-99

Section Officer/Court Officer.

Transferred to Record Room on 06-1-2002
Signature of the Dealing Assistant

93

CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH
AHMEDABAD

CAUSE TITLE O.A. 1143/93

NAME OF THE PARTIES Mr. G. K. Rathod
VERSUS
U.O.I. & ORS.

CR. NO.	DESCRIPTION OF DOCUMENTS	PAGE
01.	O.O.	1 to 42
2.	O.O. 1334/93	43 to 46
3.	O.O. 1419/93	47 to 48
4.	Writ Petition Reply	49 to 53
5.	O.O. add. (8-11-99)	(3 pages)