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CENTRAL ADMINISTRATIVE TRIBUNAL, JODHPUR BENCH,
JODHPUR

Date of order : 9.9.1996

O.A. No. 123/95

BIRBAL AND OTHERS

..... Applicants.

Vs.

UNION OF INDIA AND ORS.

..... Respondents

CORAM :

THE HON'BLE MR. RATAN PRAKASH, JUDICIAL MEMBER

THE HON'BLE MR. S.P. BISWAS, ADMINISTRATIVE MEMBER

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Present :

Mr. Vijay Mehta, counsel for the applicants.

Mr. Vineet Mathur, counsel for the respondents.

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PER HON'BLE MR. RATAN PRAKASH :

Heard the learned counsel for both the parties.

2. In this O.A. the applicants are claiming that they should be given all the benefits including Pay Fixation, Seniority etc. of Highly Skilled Grade-II from 15th October, 1994. They are basing their claim on the ground that even though the respondents were to conduct the trade test before 30.6.1986, the first trade test for them was held on 13.11.1986 wherein the applicants were found successful and they have been given benefit of promotion w.e.f. 13.11.1986 instead of 15.10.1984. The stand of the respondents has been that the applicants' without making a proper representation to the appropriate and competent authority, howe

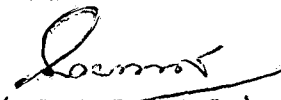
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approached the Tribunal without exhausting the remedy available to them. The other point urged by the counsel for respondents is that the OA is also barred by limitation.

3. Looking to the controversy raised in this OA, we deem it appropriate that the OA filed by the applicants be treated as a representation by the respondents or if the applicants so chose may make a detailed representation as well to the respondents, within a period of 15 days from today. The respondents shall, thereafter dispose of the matter with a speaking order within a period of three months from the date of receipt of a copy of the OA or the representation, as the case may be.

4. Accordingly, the OA stands disposed of at the stage of admission. A copy of this order be also supplied to learned counsel for the parties.


(S.P.BISWAS)
Member (Adm)


(RATAN PRAKASH)
Member (Judl)

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