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CAT/J/12

# IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

NEW BOMBAY BENCH

O.A. No. 802/87

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DATE OF DECISION 8.9.1992

Shri M.S.Upadhyay Petitioner

Shri D.V.Gangal Advocate for the Petitioner(s)

Versus

Union of India & anr. Respondent

Shri A.I.Bhatkar for Mr.M.I.Sethna Advocate for the Respondent(s)

CORAM

The Hon'ble Mr. Justice S.K.Dhaon, Vice Chairman

The Hon'ble Mr. M.Y.Priolkar, 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 ?

ND

(S.K.Dhaon)

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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH, BOMBAY

OA.NO. 802/87

Shri Mohanlal Shivnath Upadhyay ... Applicant

V/S.

Union of India & Anr. ... Respondents

CORAM: Hon'ble Vice Chairman Shri Justice S.K.Dhaon  
Hon'ble Member (A) Shri M.Y.Priolkar

Appearance

Shri D.V.Gangal  
Advocate  
for the Applicant

Shri A.I.Bhatkar  
for Shri M.I.Sethna  
Advocate  
for the Respondents

ORAL JUDGEMENT

Dated: 8.9.1992

(PER: S.K.Dhaon, Vice Chairman)

Shri Gangal, learned counsel for the applicant states that during the pendency of this application, the services of the applicant have been regularised. The prayer is that not only the applicants <sup>service</sup> should be regularised but he should also be granted all benefits of <sup>a</sup> regular employee.

2. Shri Gangal is not in a position to inform us even of the date on which the order    regularising the services of the applicant had been passed. Counsel for the respondents states that the question of benefit being given to the applicant would arise only if the services of the applicant has been regularised in an existing vacancy. We are not aware of the date on which the vacancy    occurred. In these circumstances, we are unable to grant the second relief to the applicant. However, we make it clear that it <sup>will be</sup>    open to the applicant to make a proper representation to the authority concerned claiming such

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benefits as are available to him under the law, as a result of regularisation of his services. If this is done, the officer concerned shall dispose of the representation by a speaking order. With these directions this application is disposed of finally but without any order as to costs.

  
(M.Y. PRIOLKAR)  
MEMBER (A)

  
(S.K. DHAON)  
VICE CHAIRMAN

MRJ.