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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW BOMBAY BENCH

ORIGINAL APPLICATION NO. 578/87.

Bhabha Atomic Research Centre
Officers' Association,
1,2-346-S, Modular Laboratories,
Bhabha Atomic Research Centre,
Trombay,
Bombay - 400 085.

... Applicant

V/s.

1. Union of India,
through
The Secretary to the
Government of India,
Department of Atomic Energy,
C.S.M. Marg,
Bombay - 400 039.
2. Chief Controller of Accounts,
Department of Atomic Energy,
C.S.M. Marg,
Bombay - 400 039.

... Respondents

Coram: Hon'ble Member(J) M.B. Mujumdar

Appearances :

1. Applicant in person.
2. Shri J.D. Desai (for Shri M.I. Sethna)
Advocate for the Respondents.

TRIBUNAL'S ORDER

DATE : 9-2-1988.

Heard Shri Vidhyarthi for the applicant Association and
Shri J.D. Desai (for Shri M.I. Sethna) Advocate for the respondents.

2. Today the applicant has filed Misc. Petition No. 75/88
praying that BARC Officers' Association may be permitted to represent
its member officers mentioned in the list attached to the Misc.
Application. After hearing Shri Vidhyarthi, Treasurer of the
Association, I find no difficulty in allowing this application under
Rule 4(5)(b) of the Central Administrative Tribunals (Procedure)
Rules, 1985.

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3. The next question which may arise in this regard is whether Shri Vidhyarthi who is the Treasurer of the Association can represent the Association. After some discussion he agreed to engage an advocate for arguing this matter before the Tribunal.

4. On 7-1-1988 a direction was given to both the sides to file statements of calculations demonstrating the effect of orders of Government of India dtd. 7-10-1986 regarding bonus calculation and payment. The respondents had filed the statement on 15-1-1988. The applicant association has filed a statement today and the same is taken on record. Copy of the same is given to the respondents' advocate.

5. The applicant association has filed Misc. Petition No.40/88 for placing the case before a Division Bench for hearing. The ground given in that application is contention of respondents that the decision of this case will have effect on all Central Government establishments. Though not on that ground, I am inclined to grant the request because the order dtd. 26th June, 1987 passed by the Chairman of the Central Administrative Tribunal does not show that an application regarding Bonus can be decided by a Single Member. I, therefore, direct that this case be placed for hearing before a Division Bench.

6. Shri Vidhyarthi stated that the respondents have made almost all the recoveries and only two instalments have remained to be recovered. Hence the case cannot be said to be one requiring disposal on priority basis. In view of other work already fixed, I direct that the case may be fixed before the Registrar on 3rd March, 1988 for directions. Parties need not be present on that day. After the date for hearing will be fixed the same will be informed to both the parties by notices.

7. With these directions Misc. Petition No.40/88 and Misc. Petition No. 75/88 are disposed of.

(M. B. MUJUMDAR)
MEMBER (J)