

## IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

NEW DELHI  
NEW BOMBAY BENCHO.A. No.  
T.A. No. 129/87

198

DATE OF DECISION 12.1.1989

Shri Vithal Kacharu Tejale

Petitioner

Advocate for the Petitioner(s)

Versus

Union of India through Secretary, Respondent  
Ministry of Finance, New Delhi.

Advocate for the Respondent(s)

## CORAM

The Hon'ble Mr. M.B. Mujumdar, Member (J)

The Hon'ble Mr. P.S. Chaudhuri, 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?

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
NEW BOMBAY BENCH, NEW BOMBAY 400 614

Tr.A.NO. 129/87

Shri Vithal Kacharu Tejale,  
3031, Motha Rajwada,  
Nasik.

Applicant

v/s.

Union of India through  
Secretary to the Govt. of India,  
Ministry of Finance,  
New Delhi.

Respondent

CORAM: Hon'ble Member (J) Shri M.B.Mujumdar  
Hon'ble Member (A) Shri P.S.Chaudhuri

ORAL JUDGMENT

Dated: 12.1.1989

(PER: M.B.Mujumdar, Member (J))

The applicant is not present today though he is served with the notice. He was also not present on last two dates, namely, 14.7.1988 and 3.10.1988. It appears that the applicant has already retired on 30.6.1986. His prayer in the suit is for a declaration that the promotion given to one Shri D.H.Khan be declared as illegal and void. There is a further prayer for restraining the respondent from posting the said Shri D.H.Khan to the post of Machine Minder Class-I. Lastly, the applicant has prayed for promoting him to the said post. But Shri D.H.Khan is not made a respondent/defendant in the application. In our opinion, from this, as the applicant is absent, he was a necessary party. Apart we dismiss the application i.e. Regular Civil Suit No. 173/83 for default of the applicant, with no orders as to costs.

(M.B.Mujumdar)  
Member (J)



(P.S.Chaudhuri)  
Member (A)