

(3)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL,
NEW BOMBAY BENCH, NEW BOMBAY,
CAMP AT NAGPUR.

Original Application No.709/89.

Shri K.L.Mashakhetri.

... Applicant

V/s.

General Manager, Telecom,
Railway Electrification,
Project Circle,
Nagpur & another.

... Respondents.

CORAM: HON'BLE MEMBER(A), SHRI P.S.CHAUDHURI,
HON'BLE MEMBER(J), SHRI D.K.AGRawal.

Appearances:-

None present for the applicant.
Respondents by Mr.M.G.Bhangade.

Oral Judgment :

{Per Shri P.S.Chaudhuri, Member(A)} Dated: 19.6.1990

This application under section 19 of the Administrative Tribunals Act was filed on 5.10.1989. In it the applicant, who was working as a Casual Mazdoor under the respondents, prays, inter alia, for setting aside an impugned oral order of termination. When this case is called on for admission hearing, Mr.M.G.Bhangade, learned advocate for the respondents appears, but the applicant does not appear either in person or through counsel.

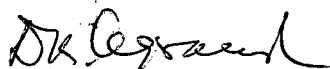
2. Mr.Bhangade files their written statement and submits that he has not been able to serve a copy on the applicant as none is present. In their written statement the respondents have not accepted any of the applicant's prayers either in whole or in part. After hearing the oral submissions made before us today and going through the written submissions on record we are unable to see any merit in the applicant's submissions. The applicant is at Sl.No.58 of the "proforma for seniority list of Casual Mazdoors" of the D.E.T. (RE) (P&P) NAGPUR enclosed at Annexure III to the application. The respondents have

submitted that they need only 57 Casual Mazdoor and so have not engaged the applicant.

3. We would have given a direction that the respondents shall not appoint anyone junior to the applicant in this seniority list or anyone not covered by the said seniority list before appointing the applicant. But Mr. Bhangade submits that the respondents have no intention of doing so. In view of this assurance given across the bar there is no need for us to give any such direction.

4. Based on this discussion we are of the view that this application deserves to be summarily rejected.

5. We accordingly reject the application summarily under section 19(3) of the Administrative Tribunals Act, 1985.



(D.K. AGRAWAL)
MEMBER (J)



(P.S. CHAUDHURI)
MEMBER (A).