

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

ORIGINAL APPLICATION NO: 392/96

DATE OF DECISION: 6/12/2000 —

Shri G.D.Pawar

Applicant.

Shri S.V.Marne for Shri D.V.Gangal

-----Advocate for
Applicant.

Versus

Union of India & 2 Ors.

-----Respondents.

Shri R.R.Shetty

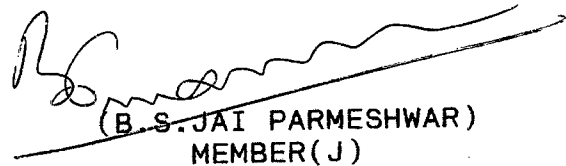
-----Advocate for
Respondents.

CORAM:

Hon'ble Shri B.S.Jai Parmeshwar, Member(J)
Hon'ble Smt. Shanta Shastry, Member(A)

1. To be referred to the Reporter or not?
2. Whether it needs to be circulated to
other Benches of the Tribunal?
3. Library.

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(B.S.JAI PARMESHWAR)
MEMBER(J)

abp

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH
ORIGINAL APPLICATION NO:392/96
DATED THE 6th DAY OF DEC. 2000

CORAM:HON'BLE SHRI B.S.JAI PARMESHWAR, MEMBER(J)
HON'BLE SMT.SHANTA SHASTRY, MEMBER(A)

Shri Gorakhnath Daga Pawar,
Sr.Goods Guard, Central Railway,
Bhusawal, Residing at Railway
North Colony,
RB-II, 614/B/Bhusawal

... Applicant

By Advocate Shri S.V.Marne
for Shri D.V.Gangal

V/s.

1. The Union of India through
the General Manager, Central
Railway, Mumbai, Victoria Terminus.
2. The Divisional Railway Manager,
Central Railway, Bhusawal.
3. Shri R.D.Wankhede,
Passenger Guard, Central Railway,
Bhusawal.

... Respondents

By Advocate Shri R.R.Shetty

(ORAL) (ORDER)

Per Shri B.S.Jai Parmeshwar, Member(J)

Heard Shri S.V.Marne for Shri D.V.Gangal, learned counsel
for applicant and Shri R.R.Shetty, learned standing counsel for
respondents.

2. Applicant has filed this application for the following
reliefs.

8(a) That this Honourable Tribunal may be
graciously pleased to call for the records of the
case from the Respondents and after examining the
same issue a Writ of Certiorary and quash and set
aside the promotion of the 3rd Respondents as
Passenger Guard.

(b) To issue a Writ of Mandamous commanding
the respondents to consider the case of the
Applicant for promotion to the post of Passenger

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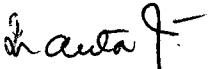
Guard as per the restructuring orders dated 27/1/1993 as per the modified procedure of Selection.

(c) To grant all consequential benefits to the Applicant in pursuance of the prayer (b) above and

(d) To hold and declare that the Applicant is and has always been senior to the Respondent No.3 in the Cadre of Guard grade 'C', Guard grade 'B' and passenger guard.

3. While the OA was under consideration, the respondents in their sur-rejoinder filed on 24/9/97 have categorically stated that the applicant has been considered for the post of Sr.Goods Guard in the scale of 1350-2200 RPS against SC Quota w.e.f. 1/3/93. A copy of the order is annexed at Annexure SR-3. The same is taken on record.

4. In view of the above, learned counsel for applicant ^{submits} ~~claims~~ that the relief claimed by him has been granted by the department itself. Hence no relief is pending and the OA is disposed of as infructuous. No costs.


(SHANTA SHASTRY)
MEMBER(A)


(B.S. JAI PARMESHWAR)
MEMBER(J)

abp.