

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH MUMBAI

ORIGINAL APPLICATION NO: 488.99

DATE OF DECISION: 17.9.1999

Smt. Bhagyashree P. Diwe Applicant.

Shri V.S.Masurkar. Advocate for
Applicant.

Versus

Union of India and others-----Respondents.

Shri Vadhavkar for Advocate for
Shri M.I. Sethna. Respondent(s)

CORAM

Hon'ble Shri D.S. Baweja, Member (A)

Hon'ble Shri S.L. Jain, Member (J)

- (1) To be referred to the Reporter or not? *Y*
- (2) Whether it needs to be circulated to
other Benches of the Tribunal? *f*

D.S. Baweja
(D.S. Baweja)
Member (A)

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CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION NO:488.99

FRIDAY the 17th day of SEPTEMBER 1999.

CORAM: Hon'ble Shri D.S.Baweja, Member(A)

Hon'ble Shri S.L.Jain, Member(J)

Smt. Bhagyashree P.Diwe
Residing at 344/33
BPCL Staff Colony
Aziz Bag, Chembur,
Mumbai.

...Applicant.

By Advocate Shri V.S.Masurkar.

V/s

1. Union of India through
Commissioner of Central
Excise Mumbai II, Piramal
Chambers 9th floor, Parel
Mumbai.
2. Deputy Commissioner (P&V)
Central Excise Mumbai-II
Piramal Chamber 9th floor
Parel, Mumbai.

...Respondents.

By Advocate Shri Vadhavkar for Shri M.I.Sethna.

ORDER (ORAL)

{Per Shri D.S.Baweja, Member(A)}

The applicant was selected for the temporary post of Inspector in the office of Commissioner of Central Excise, Mumbai. An appointment order was issued on 26.12.1997. However as per the impugned order dated 12.2.1998, the appointment order was kept in abeyance till further orders. The applicant being aggrieved by the same approached this Tribunal by filing this OA seeking a direction to the respondents to produce the records and proceedings which led to passing of order dated 12.2.1998

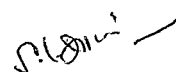


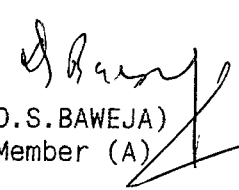
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and set aside the same with further direction to the respondents to enforce appointment order dated 26.12.1997 with consequential benefits like arrears of pay, increment, seniority, leave etc.

2. The learned counsel for the ^{applicant} respondents made a statement at the bar that the applicant has already been given appointment and she has joined the service also. The only grievance now remains is with regard to grant of seniority, payment of arrears and other consequential benefits with reference to the appointment order dated 26.12.1997. The learned counsel for the applicant submits that the applicant will make a representation to the department for the consequential benefits and the OA can be disposed of with the direction to the respondents to consider her representation.

3. In view of the above, the OA is disposed of with the direction that the applicant will make a representation to the respondents within one month from the date of receipt of this order for the consequential benefits if so desired. The respondents will thereafter consider and dispose of the representation within four months by passing a speaking order. All contentions raised in the OA are left open. No order as to costs.


(S.L.JAIN)
Member (J)


(D.S.BAWEJA)
Member (A)

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