

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH.

ORIGINAL APPLICATIONS NO. : 31/2000

Dated this Monday the 17 day of Janauary 2000.

Shri H.J. Koli Applicant

Shri P.A. Prabhakaran Advocate for the
Applicant.

VERSUS

Union of India & Others. Respondents.

Shri R.K. Shetty Advocate for the
Respondents.

CORAM :

Hon'ble Shri B.N. Bahadur, Member (A)
Hon'ble Shri S.L. Jain, Member (J)

(i) To be referred to the Reporter or not ?
(ii) Whether it needs to be circulated to other Benches
of the Tribunal ?
(iii) Library.

B.N. BAHADUR
MEMBER (A)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI

Original Application No.31/2000

That Monday this the 17th Day of January, 2000.

Coram : Hon'ble Shri B.N. Bahadur, Member (A)
Hon'ble Shri S.L. Jain, Member (J).

H.J. Koli,
Resident of,
Uran Kili Wada,
Near Uran Police Station,
Tal. & Post. Uran,
District Raigad.
(By Advocate Shri P.A. Prabhakaran).
..... Applicant.

Vs.

1. Union of India, through
The Secretary,
Ministry of Defence,
South Block, New Delhi - 110 001.

2. Engineer-in-Chief,
Army Headquarters,
Kashmir House,
DHQ Post, New Delhi.

3. Commander Works Engineer,
Naval Works,
Dr. Homi Bhabha Road,
Navy Nagar, Colaba,
Mumbai - 400 005.
(By Advocate Shri R.K. Shetty)

.. Respondents.

O R D E R (Oral)
(Per : Shri B.N. Bahadur, Member (A))

Learned Counsel Shri Prabhakaran has been heard for the
applicant and Learned Counsel Shri R.K. Shetty, for the
Respondents.

2. We have seen the directions issued at Para 6 of order in
OA 1226/96 dated 5.9.1997 of this Tribunal. Accordingly, the

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Respondents have to consider the case of the applicant in the terms of this order. From the papers appended, we see that ~~the~~ representations have been made from time to time by the applicant and ~~the~~ replies have been given to the applicant to say that his case will be considered for regular vacancy.

3. Learned Counsel for the applicant states, by producing recruitment notice copies, to claim that regular vacancy are now being advertised.

4. It is seen that the relief/s sought in the O.A. are for directions by this Tribunal, that applicant be absorbed in any suitable post. It is also sought by the applicant that the period of removal order be treated as extra ordinary leave without break in service. It is clear that this relief cannot be granted directly in this O.A. We are bound by the directions given at Para 6 of the Order referred to above. (Order in OA 1226/96).

5. We are inclined to give directions that the applicant is at liberty to make a representation giving all facts and that the Respondents will dispose of this representation. We ~~are~~ ^{but} also take note of the facts that Learned Counsel Shri Shetty oppose this OA to say that is not maintainable. He ~~did not~~ agree that the case will be considered in terms of the directions in O.A. No. 1226/96.

6. At this stage the Learned Counsel Shri Prabhakaran makes a point in open court that his application dated 11.1.2000 may be considered and the Respondents may be directed to dispose of this representation. This is a reasonable request and we hereby order that the aforesaid representation shall be disposed of on merits, and in accordance with law within 3 months.

7. The O.A. is disposed of accordingly with no order as to costs.

SLJ //

(S.L. Jain)

Member (J).

B.N. Bahadur

(B.N. Bahadur)

Member (A).

H.