

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

Dated this the Thursday the 17th day of July, 2003

Review Petition No.50 of 2003
(In O.A.783 of 2001)

Mrs.V.R.Joshi & others

- Applicants

Versus

1. Union of India
through the D.G.(Department
of Posts), New Delhi & others.
2. The Principal Chief Postmaster
General, Maharashtra Circle, Mumbai.
3. The Superintendent of Post Offices,
New Mumbai Division, Panvel.

- Respondents

ORDER BY CIRCULATION

The instant review petition has been filed to review the order dated 17.10.2002 the operative portion of which is as follows:-

" In the result, OA is partly allowed with costs as detailed in para 13 above. The respondents are directed to make regular appointment of the applicants according to their seniority to the post of Postal Assistant in New Mumbai Division in the first available vacancies."

2. An application for condonation of delay has also been filed.

The grounds set out for this purpose are -

" This review petition is not filed for any errors in judgment. The judgment has been in favour of applicants and they are satisfied with it."

However, serious misconduct on the part of applicants has come to notice, by which they have failed to make regular appointments of the applicants on 1.11.2000 when they have created 7 posts at Panvel Headquarters and kept them vacant since then."

3. This review application has been preceded by two Contempt Petitions 112/2002 & 18/2003. The former was dropped on 19.12.2002 as there was no specific allegation regarding

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availability of vacancies. The next contempt was dropped on the ground that though vacancies exist no appointments have been made and an assurance that appointment will be made.

4. The respondents have filed CIV WP 5617/2003. The Bombay High Court vide its order dated 4.4.2003 has stayed the implementation of the order.

5. In view of the stay of the Mumbai High Court, and the facts stated in condonation petition, (Para 2 above), there is no merit in the Review Petition and the same is dismissed.

Shankar Prasad
(Shankar Prasad)
Member (A)

R.R.K.Trivedi
(R.R.K.Trivedi)
Vice Chairman

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