

81
Registered A/D

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Commercial Complex(BDA)
Indiranagar
Bangalore - 560 038

Application No 1412/86(T)
(W.P. No 4480/84)

Dated the August, 1986

To

M.S. Kulkarni,
C/O Shri M. Narayanaswamy, Advocate for Appltnt,
844, Upstairs, V Block, Rajaji Nagar,
Bangalore - 560 010

1. The Union of India by its
Secretary, Min of Defence,
New Delhi. (Respdt.-1)
2. The Scientific Advisor to the
Ministry of Defence and Director
General, Research and Organisation,
D.H.Q. PO. New Delhi. (Respdt.-2)
3. The Director, Aeronautical
Development Estt., High Grounds,
Bangalore.
4. R. Sathyanarayana Rao,
Chief Draughtsman, Aeronautical
Development Estt., Bangalore. (Respdt.-4)
5. D.K. Rajan, Chief Draughtsman,
Aeronautical Development Estt.,
High Grounds, Bangalore. (Respdt.-5)

Subject: SENDING COPIES OF ORDER PASSED BY
THE BENCH IN APPLICATION NO 1412/86(T)
(WRIT PETITION NO 4480/84)

Please find enclosed herewith the copy of the Order/
~~Interim-Order~~ passed by this Bench of the Tribunal on 20-8-86
in the abovesaid application.

Encl: As above


SECTION OFFICER
(JUDICIAL)

Copy to :-

Shri M.S. Padmarajaiah,
Senior Central Govt. Standing Counsel,
High Court Buildings, Bangalore - 1

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R
SECTION OFFICER
(JUDICIAL)

*S. S.
P. B. Mehta & Co. dec
R*

Shri M.S. Padmarajaiah,
Senior Central Govt. Standing Counsel,
High Court Buildings, Bangalore - 1

ORDER PASSED BY THE CENTRAL ADMINISTRATIVE
TRIBUNAL, BANGALORE BENCH ON 20-8-86 IN
APPLICATION NO 1412/86(T) (WRIT PETITION NO
4480/84), SHRI M.S. KULKARNI VERSUS U.O.I.
BY SECRETARY, MIN OF DEF AND 4 OTHERS

"The main prayer in WP No. 4480/84 which has been transferred to this Bench under Section 29 of the Administrative Tribunals Act, 1985, is to declare the undertaking given before the High Court in WP No 6126 of 1981 regarding promotional benefits to Respondent No. 4 as void and invalid and to recall the order dated 25-2-1982 passed by the High Court. Counsel on both sides are agreed that the aforesaid prayer involves review of the order of single Judge of the High Court dated 25-2-82 and such a review can only be done by the Judge who originally passed the order. In view of this, counsel on both sides submit that the application may be transferred back to the High Court so that the matter may be heard and decided by the single judge.

There is force in the submission made by the counsel. We accordingly direct the Registrar of this Bench to take steps for transferring the Writ Petition back to the High Court of Judicature Karnataka".



Sd/-
(L.H.A. REGO)
MEMBER (AM)
20-8-86

Sd/-
(CH. RAMAKRISHNA RAO)
MEMBER (JM)
20-8-86

-TRUE COPY-

R. Thy 26/8/86
SECTION OFFICER
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE