

Judgment
made
on 12-12-86

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BANGALORE
DATED THIS THE 17TH DECEMBER 1986.

Present : Hon'ble Justice K.S. Puttaswamy .. Vice-Chairman
Hon'ble Shri P. Srinivasan .. Member

Application No. 774/86(T)

D.K. Bose,
Son of Late Sri Dharanidhar Seal,
aged about 55 years,
Assistant Master,
Military School,
BELGAUM.

.. Applicant

(Shri V.A. Mohan Rangan, Advocate)

Vs.

1. Union of India by its
Defence Secretary
Government of India,
NEW DELHI.
2. The Vice-Chief of Army Staff,
Army Headquarters,
General Staff Branch,
DHQPO,
NEW DELHI.
3. The Principal,
Military School,
BELGAUM.

.. Respondents.

(Shri N. Basavaraju, Advocate)

The application has come up for hearing before
Court today. The Vice-Chairman made the following :

ORDER

In this transferred application received from the
High Court of Karnataka, the applicant has sought for
direction to respondents to promote him to the post of a
Master (Gazetted).

2. The applicant, who initially joined service as an Assistant Master (Arts and Crafts) on 20-8-1954 has retired from service in April 1982. When the applicant was in service, Government for reason with which we are not concerned had not created the post of Master (Gazetted) in the discipline of Arts and Crafts. When there was no post of Master (Gazetted) in his discipline, the claim that he should be promoted to that post, could not be granted by the authorities or by this Tribunal at this stage. In this view we have therefore no alternative but to reject his claim. We therefore dismiss this application. But in the circumstances of the case, we direct the parties to bear the cost.

As. D. M. S. S.
VICE CHAIRMAN
17/12

P. L. S. S.
MEMBER
17/12

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REGISTERED

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH
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Commercial Complex(BDA),
Indiranagar,
Bangalore - 560 038

Dated : 7-7-87

REVIEW APPLICATION NO 34 /87()

IN APPLICATION NO. 774/86(T)

W.P. NO

Applicant

Shri D.K. Bose

V/s The Secy, M/s Defence and 2 Ors

To

1. Shri D.K. Bose
75/1, Queen's Garden
Army Officers' Quarters
Belgaum - 590 009
2. The Secretary
Ministry of Defence
South Block
New Delhi - 110 011
3. The Vice Chief of Army Staff
Army Headquarters
General Staff Branch
DHQ PO, New Delhi - 110 011
4. The Principal
Military School
Belgaum
5. Shri M.S. Padmarajaiah
Senior Central Govt. Stng Counsel
High Court Buildings
Bangalore - 560 001

Subject: SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith the copy of ORDER/~~STAY~~/
~~INTERIM ORDER~~ passed by this Tribunal in the above said
application on 30-6-87.

Hae
SECTION OFFICER
(JUDICIAL)

Encl : as above

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE

DATED THIS THE 30th DAY OF JUNE, 1987

Present : Hon'ble Justice Sri K.S.Puttaswamy Vice-Chairman

Hon'ble Sri L.H.A.Rego Member

REVIEW APPLICATION No.34/87

D.K.Bose,
Assitant Master,
Military School,
Belgaum.

V.

...

Applicant

Defence Secretary,
Government of India,
New Delhi.

The Vice-Chief of Army Staff,
Army Headquarters,
General Staff Branch,
DHO Po, New Delhi.

The Principal,
Military School,
Belgaum.

(Sri M.S.Padmarajaiah

...

... Advocate)

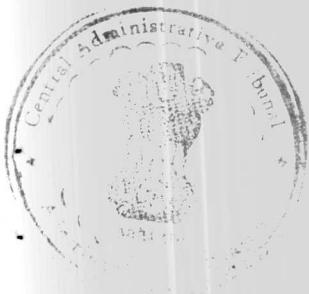
Respondents

This Review Application has come up before the court today. Hon'ble Justice Sri K.S.Puttaswamy, Vice-Chairman made the following.

O R D E R

We have heard Sri D.K.Bose, applicant in the case.

2. In his letter dated 12.3.1987 registered as a Review Application, the applicant has asserted that the post of Master Gazetted had been created by the Government before he retired from service. We have perused all the papers produced by the applicant and heard him at length. We are even now satisfied that the finding of this Tribunal that the post of Master Gazetted had not been created before the applicant retired from service was correct. If that finding is correct, then there is hardly any ground to review the



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earlier order made by this tribunal. We find no patent error in the order made by this Tribunal. We, therefore, dismiss this Review Application. But in the circumstances of the case, we direct the parties to bear their own costs.

Sd -----

VICE-CHAIRMAN

30/6/57

Sd -----

MEMBER

30.6.57

-True Copy-

Free
SECTION OFFICER
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE