

REGISTERED

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Commercial Complex(BDA)
Indiranagar
Bangalore - 560 038

Dated : 8 JUN 1988

APPLICATION NO

768

/ 88(F)

W.P. NO.

Applicant

Shri P. Subramaniam
To

Respondent

V/s The Secretary, M/o Defence, New Delhi & 2 Ors

1. Shri P. Subramaniam
Store Keeper Grade - I
Madras Engineering Group & Centre
Bangalore - 560 042
2. Shri Muneer Ahmed
Advocate
No. 581, 3rd Main Road
Sadashivanagar
Bangalore - 560 080

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 31-5-88.

9-6-88
K. M. S. S.
Encl : As above

dc
B. M. S. S.
DEPUTY REGISTRAR
(JUDICIAL)

CENTRAL ADMINISTRATIVE TRIBUNAL

BANGALORE

DATED THIS THE 31ST DAY OF MAY , 1988

Present | Hon'ble Shri Justice K.S. Puttaswamy, Vice-Chairman
and
| Hon'ble Shri L.H.A. Rego, Member (A)

APPLICATION NO. 768/1988

Shri P. Subramaniam,
S/o. Late P. Guravaiah Chetty,
Store Keeper Grade-I,
Madras Engineering Group
and Centre, Bangalore.
Shri Munir Ahmed, for
(Shri U.L. Narayana Rao, Advocate)

... Applicant.

v.

1. The Union of India
rep. by its Secretary,
M/o. Defence,
New Delhi.
2. The Madras Engineering
Group and Centre, Ulsoor,
rep. by its Commandant.
3. Engineer in Chief's Branch,
Army Headquarters,
D.H.Q. Post, New Delhi.

.... Respondents.

This application having come up for hearing to-day,
Vice-Chairman made the following:

ORDER

This is an application made by a defeated applicant who does not reconcile himself with an earlier order made by this Tribunal. In order to appreciate this question it is necessary to notice the facts that are not ^{in de} dispute in the first instance.

2. The applicant is working as Store Keeper Grade-I in the Office of Madras Engineering Group and Centre, Bangalore. His claim is that he has been stagnating in that capacity for the last 22 years. On this basis, the applicant approached this

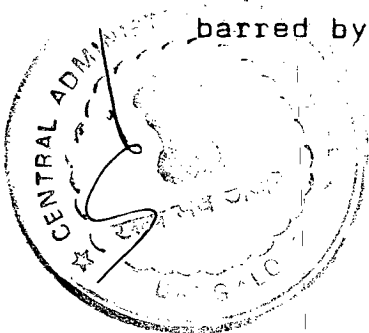


Tribunal in A.No. 457/88 really seeking for the very relief sought in this application. On 11.3.1988 a Division Bench of this Tribunal consisting of Hon'ble Shri P. Srinivasan, Member (A) and Hon'ble Shri Ch. Ramakrishna Rao, Member(J) rejected the same at the admission stage. Without reconsi-^{der}ling himself to that order, the applicant has again approached this Tribunal for the very same relief.

3. On an examination of the papers, the Registrar has opined that this application is barred by ~~Res~~^{re}-judicata. We have perused the office objections and heard Shri Munir Ahmad, learned Counsel for the applicant.

4. Shri Munir Ahmad contends that the relief sought in this application was altogether different ^{from} ~~to~~ the one sought in the previous application and, therefore, the order made in A.No. 457/88 does not operate as res-judicata.

5. We have carefully perused the order made in A.No.457/88 the claim made by the applicant in this application and the relief sought. In reality and in substance the applicant is seeking ^{for} ~~for~~ the very relief sought in his previous application and agitate what he agitated therein. The change in the relief, if any, does not improve the case of the applicant. The applicant is only agitating what had been negatived by this Tribunal in A.No.457/88. On this finding we have to uphold the office objection and reject this application as barred by res-judicata.



6. In the light of our above discussion we hold that this application is liable to be rejected. We, therefore, reject this application at the admission stage without notices to the Respondents.

Sd/-
VICE-CHAIRMAN 21/8/10

Sd/-
MEMBER (A) 21.8.10

bsv/Mrv.



TRUE COPY

[Signature]
DEPUTY REGISTRAR (JDL)
CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE 8/6/10