

2

CAT/J/12

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

NEW BOMBAY BENCH

O.A. No. 82/90

~~17.11.1990~~

198

DATE OF DECISION 18.4.1990

Shri H.V.Pawar & ors. Petitioner^s

Shri C.B.Kale Advocate for the Petitioner(s)

Versus

Sr.Suptd. Post Offices, Bombay Respondent^s
& anr.

Mr.S.R.Atre for Mr.P.M.Pradhan Advocate for the Respondent(s)

CORAM

The Hon'ble Mr. P.S.Chaudhuri, Member (A)

The Hon'ble Mr. T.S.Oberoi, Member (J)

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

Yes

Yes

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW BOMBAY BENCH, NEW BOMBAY

63

OA.NO. 82/90

Shri H.V.Pawar & ors.

... Applicant

vs.

Sr.Suptd.Post Offices
Bombay & another.

... Respondents

CORAM: Hon'ble Member (A) Shri P.S.Chaudhuri
Hon'ble Member (J) Shri T.S.Oberoi

Appearances :

Mr. C.B.Kale
Advocate
for the Applicants

Mr.S.R.Atre
for Mr.P.M.Pradhan
Advocate
for the Respondents

ORAL JUDGMENT

Dated: 18.4.1990

(PER: P.S.Chaudhuri, Member (A))

This application under Section 19 of the Administrative Tribunals Act, 1985 was filed on 24.1.1990.


2. The applicants are seeking employment in the Postal Department and are challenging the order cancelling the examination for recruitment to Group 'D' cadre that was held on 28.12.1986. This cancellation was intimated to the applicants by letters such as the one dated 8.12.1989 at page 13 of the application. After coming to know about this cancellation of this examination, Applicant No. 1 submitted a representation dated 17.1.1990 to the second respondent. Thereafter the present application was filed on 24.1.1990.


3. We have heard Mr. C.B.Kale, learned advocate for the applicants and Mr.S.R.Atre holding the brief of Mr.P.M.Pradhan, learned advocate for the respondents.

4. It was Mr. Atre's submission that the applicants had not exhausted all the remedies available to them under the relevant service rules as to redressal of grievance, in as much as the representation dated 17.1.1990 had not yet been finalised and a period of six months had not elapsed after it has been submitted. Mr. Atre, on instructions from Mr. R.H.Khirode, Asstt. Superintendent Posts in the office of 2nd respondent, further submitted that the respondents had intended to hold another examination for recruitment to Group 'D' cadre but had since decided not to hold such an examination for the present and that no such examination would be held within the next two months.

5. In view of this submission, we are of the view that this application is pre-mature and that the ends of justice would be met if the respondents are directed to finalise Applicant No. 1's representation within a reasonable period.

6. We, accordingly, summarily reject this application under Section 19(3) of the Administrative Tribunals Act, 1985 with a direction to the respondents to dispose of Applicant No.1's representation dated 17.1.1990 on or before 17.6.1990. The applicants will be at liberty to approach this Tribunal afresh ^{should} ~~are~~ they continued to feel aggrieved after the representation is finalised. In the circumstances of the case, there will be no order as to costs.


(T.S. OBEROI)
MEMBER (J)


(P.S. CHAUDHURI)
MEMBER (A)