

Shri V L Jadhav,  
Bombay (Shaskausik)  
LIST OF INDEX OF 1990 N.S.

LIST OF PAPERS IN O.A./J.A. NO.

589

OF 1990

(Shaskausik)

PART	SERIAL NO. OF PAPERS ON RECORD.	DATE OF PAPER / FILING	DESCRIPTION OF PAPER
I	1	14.8.90	Per T.O
	1-2	23.8.90	T.O
	3	15.10.90	By Registration order
	11	22.11.90	T.O
	4	4.1.91	Per T.O.
	11	11.1.91	T.O
	11	14.3.91	Per T.O
	5	17.6.91	Judgment by Hon'ble V.C. Shri U.C. Girivastav & Hon'ble M(A) Shri M.Y. Princar (OMIS disposed of)
	6	30.7.91	Registration's Remarks List of Index enclosed
II	-	-	
III	1-2	14.8.90	Scouting sheet
	3	30.8.90	T.O dt 23.8.90 Send to the Applicant & all Respondents
	4	27.12.90	T.O dt 22.11.90 Send to the Applicant & all Respondents
	5	29.7.91	from T.O dt 17.6.91 Send to the Applicant & all Respondents
N.S. 12/02 3/12/02			

## BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

NEW BOM-BAY BENCH: NEW BOMBAY

APPLICATION (STAMP) NO:

OF \*1990

IN

ORIGINAL APPLICATION NO:

59 OF 1990

Vishwanath Laxman Jadhav .

..applicant.

Versus

Union of India and others

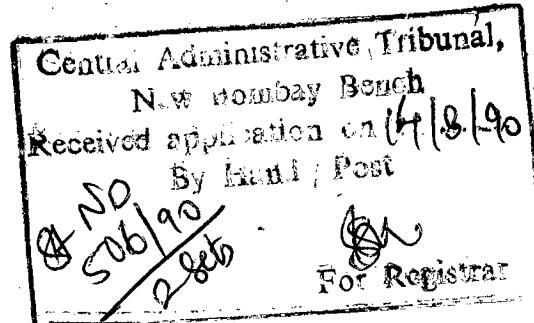
...Respondents.

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1) Reply of the Respondents 1-15  
on dt. N/I

2)

1

DB

Office Notes, Office  
Membrandum, of Coram  
Appearance, Tribunal's  
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Registrar's Orders

Tribunal's Orders.

Stamp No 506/90

Date noted

J. S. R.  
14/8/90

Fee for hearing

fixed for Admonition hearing  
on 23-8-90

100/-  
14/8/90  
by Reg.

23.8.1990

Heard counsel for the applicant as well  
as the Advocate for the Respondents,  
on the basis of notice issued to him.  
Application is admitted.

In the  
counsel prays interim relief in respect  
of restraining respondents from formation  
of a panel for promotion to the post of  
Asst. Controller of Stores (Class I).

It was submitted that the panel of  
29 persons from the lower category,  
is proposed to be formed.

It was submitted by Counsel for the  
applicant that though the applicant  
has been promoted as DSK (1) on  
9.4.1990, he has not been  
considered for taking ~~the~~ <sup>the</sup> examination

-contd-

(2)

in connection with the caption.

After hearing both sides we are of the view that the Interim Relief as prayed for by the applicant cannot be allowed, as there is no justification in restraining Respondents from forming the panel especially because the written examination is already over. However, we hereby direct the Respondents that in case the panel <sup>is</sup> finalised before further directions from this Tribunal, it shall be only in respect of 28 persons, leaving one unfilled.

This order will be in force for a period of 3 months.

Respondents to file reply to O.A within a period of 4 weeks, and to serve a copy to the Counsel of the Applicant. Place before the Registrar for completion of pleadings on 15.10.90

(M. Y. Puri Kan)  
MCA

(G. Sreedharan Nair)  
Vice-chairman

Order dtd: 23.8.90  
Issued to either  
sides on 30.8.90

8

(3)

Date : 15.10.90.

Mr. R.C. Kotiankar, Advocate for Miss A.S. Kaushik, Advocate appears for the applicant.

Mr. J.G. Sawant, Advocate appears for Respondents. He has undertaken to file his note of appearance on the next date. Mr. Sawant prays to grant time for filing upto 19.11.1990 to which Mr. Kotiankar has no objection.

Adjourned to 19.11.1990 for reply and further directions. If no reply is filed by 19.11.1990 the matter may be kept before the Tribunal for further orders on 22.11.1990.

No notice to either side.



Dy. Registrar.

Reply filed in the  
Court on 10.10.90  
Copy served on the  
applicant  
the 10/10/90  
CO

Dated : 22.11.90

Applicant by Mr. R.C. Kotiankar.  
Respondents by Mr. J.G. Sawant.

2. Shri Sawant appearing on behalf of respondents files the reply. He has given a copy to the learned counsel for the applicant. It is taken on record. The counsel of applicant may file rejoinder, if any, before 31.12.90. The case is posted for further direction on 4.1.91. In the meantime the interim ~~sub~~ order already passed in the case will continue till 5.1.91.

  
(N. Dharmadany)  
M (S)

  
(M. Y. Priolkar)  
M (A)

(4)

Per Tribunal

Dated

4/1/91

Applicant in person / by

Advocate / Respondent by Mr. J.G. Sawant

Council No division bench is functioning today

The matter adjourned to 11/1/91  
for direction

*Mr  
Dy. Registrar*

Order dtd 22/11/90  
issued on either  
side on 7.12.90.

By

Dated 11-1-91

Order dtd. 22/11/90  
Served on applicant  
on 11/12/90.

*4/2/91*

Mr. Ramamurthy for Miss  
Kaushik for the applicant.

Mr. C.J. Sawant for the  
respondent. At the request  
of Mr. Ramamurthy adjourn

to 14-3-1991. Mr. Ramamurthy  
has filed rejoinder and it is  
taken on record. He has also  
given a copy of the rejoinder  
to the respondent's advocate.

2. Keep the case for final  
hearing on 14-3-1991.

*Mr  
M.Y. Priolkar*  
(J.P. Sharma) (M.Y. Priolkar)  
M(J) M(A)

Per Tribunal

Dated

17/3/91

Applicant in person / by Mrs R.C. Kotharkar

Advocate / Respondent by Mr. J.G. Sawant

Council. From the consent of both the sides

The matter adjourned to 17/6/91  
for final hearing

*Mr  
Dy. Registrar*

(S)

Original Application No. 589/89.

Dt. 7/6/91.

Before the hearing of the case is started Shri J.G.Sawant, learned counsel for the respondents stated that the proposed examination has been cancelled and a fresh notification has been issued and as such there is no integrated seniority list for the purpose of the examination which is under challenge in the application. Shri Rama Murthy learned counsel for the applicant states that the application has become infructuous as far as reliefs 'A' and 'B' are concerned. So far as reliefs 'C' and 'D' are concerned it has not become infructuous. The proposed examination in which the applicant has been excluded, the relief 'C' and 'D' are inter-linked with the same and accordingly the application becomes infructuous. However, we make it clear that so far as the claim of the seniority of the applicant in any integrated seniority list over Shri S.S.More or another person is concerned or if the question of inter se seniority between D.S.K-I and O.S.I shall remain alive and it may not be taken as if the same has been decided and it is expected that the respondents would conduct fresh examination after taking into consideration this aspect also and we would not like the applicant or others to come before the Tribunal again for the said purpose. Shri Ramamurthy states that the seniority of the applicant has to be decided in accordance with the Railway Board Circular at Ex. 'C'. Any how we are ~~any~~ not expressing any opinion on the same. The application stands disposed of on the above lines.

  
(M.Y. PRIOLKAR)  
MEMBER (A)

  
(U.C. SRIVASTAVA)  
VICE-CHAIRMAN.

\*\*

(6)

17/6/91

order/Judgement despatched  
to Applicant/Respondent(s)  
on 29.7.91

*Done  
S/7/91*