

# IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

NEW BOMBAY BENCH

O.A. No. 171/91

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DATE OF DECISION 18.6.1991

SHRI LAXMAN RAMU CHAVAN Petitioner

MR. S. A. TAWATE Advocate for the Petitioner(s)

Versus

UNION OF INDIA AND OTHERS Respondent

Shri A. B. Sarang, LDC in the Advocate for the Respondent(s)  
of the first respondent. ~~xxx~~

## CORAM

The Hon'ble Mr. P. S. CHAUDHURI, MEMBER(A)

The Hon'ble Mr. T. C. S. REDDY, 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 ?

(3)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
NEW BOMBAY

ORIGINAL APPLICATION NO.171/91

Shri Laxman Ramu Chavan,  
Resident of Worli B.D.D.Chawl,  
No.15, Room No.20, Bombay-18.  
Peon in the office of the official  
liquidator, Govt.of India.  
Ministry of Industry, Department  
of Company affairs, Bank of India  
bldg. 5th floor, M.G.Road,  
Fort Bombay-400 023

.... Applicant

Vs.

Union of India  
through Official Liquidator,  
Govt of India, Ministry of  
Industry, Dept of Company  
affairs, Bank of India  
bldg 5th floor M.G.Road,  
Fort Bombay - 400 023

and others.

.... Respondents

CORAM : HON'BLE SHRI P.S.CHAUDHURI, Member(A)

HON'BLE SHRI T.C.S.REDDY, Member (J)

Appearance :

Shri S.A.Tawate,  
Adv.for the applicant

Shri A.B.Sarang, LDC,  
in the office of Respondent  
No.1 is present.

ORAL JUDGMENT

DATED: 18.6.1991

(PER: P.S.CHAUDHURI, M/A)

This application under Section 19 of the Administrative  
Tribunals Act, 1985 was filed on 8.4.1991. In it, the applicant  
who is Peon in the office of the first respondent is seeking  
a direction to the respondent to treat him as a regular employee

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with consequential benefits, payment of interests on ~~the~~  
delayed payments and <sup>award of</sup> costs.

2. When this case is called for admission today, Mr.S.A.Tawate, learned counsel ~~appears~~ for the applicant. Mr.A.B.Sarang, L.D.C. in the office of the first respondent is present with records.

3. Mr.Tawate fairly submits that by ~~order~~ dated 13.6.1991 the services of the applicant have been regularised with effect from the date. His appointment was subject to medical fitness and charecter verification. Mr.Sarang makes available a copy of this order which has been taken on record.

4. Mr. ~~Tawate~~ fairly submits that in view of this order the first relief prayed for at para 8 (a) of the application no longer survives provided two conditions *laid down* <sup>therein</sup> are met by the applicant. He however, press<sup>s</sup> for the other reliefs regarding arrears of increments ~~together~~ with allowances and interest ~~thereon~~. Mr.Sarang submits before us that the arrears of increments and allowances thereon will be released after the applicant has fulfilled the condition regarding the medical fitness and charecter verification. As it is only thereafter that the respondents will be able to issue the formal order in this regard.

5. In view of this submission of the respondents we are of the opinion that the application ~~can~~ be disposed of at the admission stage itself with a suitable direction to the respondents.

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6. We accordingly, dispose of the application at the admission stage with a direction to the respondents to pass final orders in regard to the regularisation of the applicant within a period of 3 months from the date of receipt of a copy of this order, including orders regarding the payment of increment and allowances thereon to which the applicant ~~might~~ be legally entitled within a period of three months thereafter. If the applicant continues remain aggrieved after such order are passed, ~~He~~ is at liberty to approach the Tribunal a fresh ~~order~~. In the circumstances of the case there will be no orders as to costs.

T.C.S. REDDY  
(T.C.S. REDDY)  
M(J)

P.S. CHAUDHURI  
(P.S. CHAUDHURI)  
M(A)