

# IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

NEW BOMBAY BENCH

O.A. No. 212/91  
~~T.A. No.~~

198

DATE OF DECISION 2.5.1991

Shri D.I. Hedao and others Petitioner

Shri K.K. Shah Advocate for the Petitioner(s)

Versus

Union of India and others Respondent

Mr. R.K. Varma, APD, in the Advocate for the Respondent(s)  
office of Res. No. 1

## 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 ?

Yes

No

*P. S. Chaudhuri*  
 (PS CHAUDHURI)  
 M(A)

(5)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
NEW BOMBAY BENCH  
NEW BOMBAY

ORIGINAL APPLICATION NO:212/91

SHRI D.I.HEDAOO AND OTHERS  
C/o K.K.Shah, Adv,  
3, Achalayaten Society,  
Navran Gpura,  
AHMEDABAD-380009

.... Applicants

Vs.

Union of India and  
others.

.... Respondents

CORAM : HON'BLE SHRI P.S.CHAUDHURI, MEMBER(A)  
HON'BLE SHRI T.C.S.REDDY, MEMBER(J)

Appearance:

Shri K.K.Shah, Adv,  
for the applicant

Shri R.K.Verma,  
A.P.Officer, in the  
Office of Respondent No.1

ORAL JUDGMENT

DATED: 2.5.1991

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

Mr.K.K.Shah, learned Counsel for the applicants moves M.P.No.352/91 for permission to file a common application. But after going through the record and a copy of O.A.No.141/89 filed by the proposed applicants No.4 and 3 before the Ahmedabad Bench of the Tribunal, it is clear that the prayer in that application forms at least a part of the prayer in this application. Further Mr.Shah shows us a copy of the order of the Ahmedabad Bench in

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respect of an application filed before it by applicart no.5 and submitted that <sup>he</sup> did not have a copy of that original application in his possession as he was not representing that applicat<sup>n</sup>~~ion~~ at that time. From that order it appears that the position in respect of applicant No.5 might also be same as in respect of applicants No.4 and 3. Against this background, we permit the joint application only by proposed applicants <sup>No.</sup> 1 and 2 and direct the Registry to delete proposed applicants No.3 to 5 from the cause title.

2. Mr.Shah presses for the Interim relief prayed for and cites a plethora of judgments and instructions to support his stand but, after hearing him at length, we have no hesitation in holding that all his lengthy submissions in this regard must fail on one short point. We specifically asked him to show us any order or circular or judgment which prohibits the reversion after 18 months of an unempannelled candidate purely to make room for a duly empannelled candidate. He was unable to produce any order in support of such a proposition. The prayer for interim relief is therefore rejected.

3. At this stage, Mr. Shah sought leave to withdraw the application. Leave granted.

4. The application is disposed of accordingly as withdrawn.

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

  
(P.S.CHAUDHURI)  
MEMBER(A)