

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

NEW BOMBAY BENCH

O.A. No.

~~TxAxxxxNo.~~

in st.No.260/91 (OA 337/91/198)

DATE OF DECISION 18.6.1991

Shri Chavan Shirish Namdeo, Petitioner
and 9 others

Shri J.M.Chitle, Advocate for the Petitioner(s)

Versus

Union of India and others Respondent

Shri R.K.Shetty Advocate for the Respondent(s)

CORAM

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

The Hon'ble Mr. T.C.S.REDDY, Member (B)

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)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW BOMBAY BENCH

(3)

ORIGINAL APPLICATION NO: 337/91
in St.A.No.260/91

SHRI Chavan Shirish Namdeo,
Age 33, Occupation: Service,
residing at 294, Belhekar Chawl,
Ganesh Nagar, Pimpale Nilakh,
PUNE - 411 027

and other 9

.... Applicants

Vs.

The Union of India
Through The Secretary,
Ministry of Defence,
New Delhi.
and others

.... Respondents

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

Appearance:

Shri J.M.Chittle, Adv,
for the applicants.

Shri R.K.Shetty, Adv,
for the respondents.

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 3.6.1991. In it the applicants who ~~were~~ ^{are} working as Chargemen Grade II in the office of the 2nd respondent are challenging the order dated 10.12.1980 by which the combined Seniority Roll of Chargemen Grade II/ Precision Mechanics is being revised.

2. We have heard Mr.J.M.Chittle^a, learned counsel for the applicants and Mr.R.K.Shetty, learned counsel for the respondents No.1 -5 who receives five copies of the application.

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3. At the outset Mr. Chittle orally submitted that the applicants be permitted to file this joint application under Rule 4 (5)(a) of the Central Administrative Tribunal (Procedure) Rules, 1987. We grant this permission.

4. Mr. Chittle fairly submitted that the applicants had submitted a representation in respect of their grievances on 26.2.1991 which they had followed up with a reminder dated 27.3.1991. It is not disputed that final orders on this representation are yet to be communicated to the applicants. We find that the period of six months has not yet elapsed since the representation was submitted. We also do not find any pleading or submission which would warrant our resorting to extraordinary remedies as provided for under Section 20 of the Administrative Tribunals Act, 1985. In this view of the matter we have no difficulty that in holding the applicants have not yet availed of all the available to them remedies under relevant service rules as to redressal of their grievances. Against this background, we are of the opinion that the ends of justice would best be met by disposing of the application at the admission stage itself with a suitable direction to the respondents.

5. We accordingly, dispose of the application at the admission stage with a direction to the respondents to pass final orders on the applicant's representations dated 26.2.1991 and 27.3.1991 by 31.7.1991. If the applicants continue to remain aggrieved after such final orders are passed, they will be at liberty to approach the Tribunal afresh. In the circumstances of the case there will be no order as to costs.

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

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