

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH.

Original Application No. 1187/92

~~Transfer Application No.~~
~~XXXXXXXXXXXXXXXXXXXX~~

Date of decision 5.7.1993

Shri I.F.Braganza Petitioner

None Advocate for the Petitioner

Versus

Union of India & Ors. Respondent

Shri Karnik for Shri P.M.Pradhan Advocate for the Respondent(s)

Coram :

The Hon'ble Shri Justice M.S.Deshpande, Vice Chairman

The Hon'ble Shri M.Y.Priolkar, Member (A)

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


(M.S.DESHPANDE)

VICE CHAIRMAN

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, BOMBAY

OA.NO. 1187/92

Shri Ignitius Florence Braganza ... Applicant
V/S.
Union of India & Ors. ... Respondents

CORAM: Hon'ble Vice Chairman Shri Justice M.S.Deshpande
Hon'ble Member (A) Shri M.Y.Priolkar

Appearance

None for the applicant

Shri Karnik for
Shri P.M.Pradhan
Advocate
for the Respondents

ORAL JUDGEMENT

Dated: 5.7.1993

(PER: M.S.Deshpande, Vice Chairman)

The applicant's grievance is about being given proper seniority on the ground that he has acquired the necessary qualifications. Para 8 of the respondents' reply shows that though the applicant was appointed on 11.6.1971, it was noticed that he did not possess the requisite qualification as he did not hold Diploma in Draftmanship/Survey from Registered Institute. He acquired these qualifications in the year 1973 and therefore the seniority came to be given to him w.e.f. 25.7.1973. We see no vice in the respondents' action. There is no merit in the application. It is dismissed.



(M.Y.PRIOLKAR)
MEMBER (A)



(M.S.DESHPANDE)
VICE CHAIRMAN

mrj.

R.P. 65/93 in

MA 1187/92.

Dated: 21-2-1994.

Mr. V. J. Mujumdar, Counsel
for the applicant.

Mr. S. S. Karkera, Counsel
for the respondents.

Review Application for
amendment allowed. Review
Application be amended
accordingly within a week.

Reply within 8 weeks for
consideration of review application.

S.O. to 13-6-1994.

M. R. Kolkatar

(M. R. KOLKATAR) (M. S. DESHPANDE)
M(A) V/C.

Date 13-6-94

Applicant present in person.

Mr. Karkera for Mr. P. M. Pradhan
Counsel for respondents requests for
four weeks time and is granted
to file reply.

Adjourned to 18-7-94.

(N. K. Verma)
M(A)

(B. S. Hegde)
M(D).

For Tribunal

Date: 13/2/95

Appeared in person / by Name

Advocate / Respondent by Mr. P.M. Deshpande

Counsel for want of approach

The matter adjourned to 13/2/95
for hearing of RA

Dy. Registrar

Dated: 13.2.1995

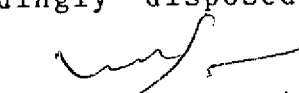
We have heard the Id. counsel on the review application. The Id. counsel for the applicant has produced before us a certificate purported to be in respect of Intermediate Examination in Architecture held in 1970 by the Maharashtra Government. Mr. Karkera, counsel for the respondents drew our attention to the recruitment rules which requires for the post of S.D.O.Gr.III Diploma or Certificate of registered/recognised Institute in Surveying/Draftsmanship (Civil) of not less than 2 years. The question is whether the certificate which has been produced by the applicant is equivalent to the qualifications required and this is a matter which shall best be decided by the appropriate authorities.

We, therefore, direct the respondents to consider whether the certificate produced by the applicant is equivalent to the qualifications required and dispose of the matter after hearing the applicant, as far as possible, within four months from to-day. If the applicant, on the basis of such a decision, is entitled for any further promotion or any reliefs the department shall consider the same and give the same to the applicant.

liberty to the applicant to approach the Tribunal after the decision by the department.

The R.P.No.65/93 is accordingly disposed of.


(M.R. Kolhatkar)


(M.S. Deshpande)
Vice Chairman

13/2/95
Order/Judgement despatched
to Applicant/Respondent (s)
on 13/2/95