

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No. 1313/92

Transfer Application No.

Date of Decision 26/9/95

Rajaram Sadashiv More & 15 Ors Petitioner/s

A. Shivade

Advocate for
the Petitioners

Versus

Union of India & Anr.

Respondent/s

R. K. Shetty

Advocate for
the Respondents

CORAM :

Hon'ble Shri. B.S. Hegde, Member (J).

Hon'ble Shri. M.R. Kolhatkar, Member (A).

- (1) To be referred to the Reporter or not ?
- (2) Whether it needs to be circulated to other Benches of the Tribunal ?


(B.S. HEGDE)
MEMBER (J)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

BOMBAY BENCH

O.A.1313/92

Rajaram Sadashiv More & 15 Ors. ... Applicants.

V/s.

Union of India & Anr. ... Respondents.

CORAM: Hon'ble Shri B.S.Hegde, Member (J).

Hon'ble Shri M.R.Kolhatkar, Member (A).

APPEARANCE:

Shri A.Shivade, Counsel
for Applicant.

Shri R.K.Shetty, Counsel
for Respondents.

ORAL JUDGEMENT:

DATED : 26.9.95

(Per Shri B.S.Hegde, Member (J))

The Learned Counsel for applicant draws our attention that in a similar matter, the Tribunal has disposed of the following OAs 1314/92, 1315/92, 1316/92, 1352/92, 4D4/94, 415/94, 416/94, 1010/94 by passing the following order:-

"and we, therefore, direct that the respondents should prepare a seniority list of the applicants based on the date of their initial appointment and on that basis offer employment to the applicants whenever a vacancy occurs relaxing the age limit, if the applicants have been appointed initially when they were within the age limit prescribed for the post. After such appointment they may be regularised in the available vacancies according to their turn.

✓
The respondents shall not in the guise of filling of the vacancies bring any employees from other stations for showing that no vacancy exists. With these directions the OA. is disposed of."

2. Accordingly, he submitted that facts in
this case ^{are} similar to the facts stated in the
above OAs, ^{and} similar order may be passed in this case
also. In so far as the facts are concerned there

is no dispute that the applicant is similarly situated as OAs referred to above. Accordingly, we direct the respondents to prepare a seniority list of the applicants based on the date of their initial appointment and on that basis offer employment to the applicants whenever a vacancy occurs relaxing the age limit, if the applicants have been appointed initially when they were within the age limit prescribed for the post. After such appointment they may be regularised in the available vacancies according to their turn. The respondents shall not in the guise of filling of the vacancies bring any employees from other stations for showing that no vacancy exists.

3. In the circumstances, the respondent is directed to take appropriate action in the matter. With this direction, the OA is disposed of.

M.R.Kolhatkar

— (M.R.KOLHATKAR)
MEMBER (A)

B.S.Hegde

(B.S.HEGDE)
MEMBER (J)

abp.

Dated: 8.7.96 (24)
Shri Girish for Shri (Dr.)
A.S. Shivaole, counsel for the
applicant. Shri R.R. Shetty for
Shri R.L.C. Shetty, Counsel for the
respondents.

Pursuant to the directions
of the Tribunal the respondents
have complied with the order
of the Tribunal. Respondents
have filed reply to C.P. Mating
that they have complied with the order.
In the circumstances

C.P. does not survive. C.P.
is dismissed. M.P. 21/96 stands
disposed of.

✓ II/0

(A.P. Srivastava)

M(A)

(B.S. Negde)
M(J)

order/~~judgement~~ despatched
to Applicant/Respondent(s)
on 19.7.96

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227/56.