

(5)

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No: 156/92

~~XXXXXXXXXXXXXXXXXXXX~~

DATE OF DECISION 8.1.1993

Shri J.H.Inamdar Petitioner

Shri A.I.Bhatkar Advocate for the Petitioners

Versus

Union of India & Ors. Respondent

Shri J.G.Sawant Advocate for the Respondent(s)

CORAM:

The Hon'ble Shri Justice S.K.Dhaon, Vice Chairman

The Hon'ble ~~Shri~~ Ms. Usha Savara, Member (A)

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 ?

} NO

Suy
(S.K.Dhaon)
Vice Chairman

NS/

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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, BOMBAY

OA.NO. 156/92

Shri Javed Hussain Inamdar

... Applicant

V/S.

Union of India & Others

... Respondents

CORAM: Hon'ble Vice Chairman Shri Justice S.K.Dhaon
Hon'ble Member (A) Ms. Usha Savara

Appearance

Shri A.I.Bhatkar
Advocate
for the Applicant

Shri J.G.Sawant
Advocate
for the Respondents

ORAL JUDGEMENT


Dated: 8.1.1993

(PER: S.K.Dhaon, Vice Chairman)

The applicant appeared in the Civil Service (Main) Examination, 1990 with Political Science & International Relations Paper No. I & II as one of his optional subjects. He was not called for the interview by the Union Public Service Commission. He came to this Tribunal with the grievance that in the earlier examination he had ~~failed~~ better and therefore the optional papers I & II may be revalued.

2. A reply has been filed on behalf of the respondents. It is averred therein that even though the respondents who were under no obligation to revalue the papers I & II, the same has been done. It has been found that even after the revaluation, there is no improvement in the case of the applicant. It is the matter of common knowledge that one may have ~~failed~~ better in an earlier examination and may have worsened his position in the subsequent examination.

3. There is no substance in this application. It is rejected.


(MS. USHA SAVARA)
MEMBER (A)


(S.K.DHAON)
VICE CHAIRMAN

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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

DY.1699
CP IN O.A.156/92

A.K. Gaikwad

.. Applicant

Vs.

1. Shri.N.Vittal
Chairman
Telecom Commission
New Delhi.

2. Shri.T.O. Thomas
Secretary
Dept.of Training & Personnel
Ministry of Personnel,
Public Grievances & Training
New Delhi.

.. Respondents

CORAM : 1. Hon'ble Shri Justice M.S.Deshpande, V.C
2. Hon'ble Shri.P.P. Srivastava, Member (A)

TRIBUNAL'S ORDER

DATED : 31/03/1995

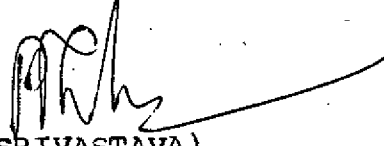
X Per Shri Justice M.S.Deshpande, Vice Chairman X

Heard Shri.H.Y.Deo, learned counsel for the
applicant.

2. A wilful disobedience is alleged of the directions issued by Bangalore Bench on 26.3.1993 in O.A.No.156/92 (Shri. K. Muralidharan & Ors. Vs. The General Manager, Bangalore Telecom District, Bangalore & Ors.) setting-aside the clarification dated 23.8.1991 restricting the implementation of Annexure A-2 from 1.10.1990 and also restricting the same from 1.1.1986 as per O.M. dated 31.3.1992 with^a direction to the respondents to treat the training undergone by the applicants as duty for the purpose of increment notionally and extend the actual benefit of increment from 1.10.1990 onwards. The applicant was not a petitioner before the Bangalore Bench in this case and ^{from} what is urged by Shri.Deo ^{is clear that} ~~is clear~~ that

his
~~his~~ contention is that once the clarification is set
aside, the other similarly situated persons should
also get the benefit thereof. Since the applicant
was not a party before the Bangalore Bench, non-
implementation of judgment in the applicant's case
would not amount to wilful disobedience but the
applicant may choose other remedies as per law which
would be available to him.

3. With this observation, the C.P is disposed of.


(P.P. SRIVASTAVA)
MEMBER (A)


(M.S. DESHPANDE)
VICE-CHAIRMAN

J*