

(4)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

O.A. NO: 259/92 199
~~Exxxxxxx~~

DATE OF DECISION 6.8.92

Shri C.R. Vijayan Nair Petitioner
Shri Kali Chitti Babu.

Shri G.R. Menghani Advocate for the Petitioners

Versus

Union of India and others Respondent

Shri A.I. Bhatkar Advocate for the Respondent(s)

CORAM:

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

The Hon'ble Mr. M.Y. Priolkar, 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 ?

ND

(S.K. DHAON)
VICE CHAIRMAN.

mbm*

(5)

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No. 259/92

Shri C.R. Vijayan Nair
Asstt. Enforcement Officer.

Shri Kali Chitti Babu,
Asstt. Enforcement Officer.

.... Applicants.

V/s.

Union of India through
the Secretary, Min. of Finance
Department of Economic Affairs,
North Block, New Delhi.

Director of Enforcement,
Govt. of India,
Loknayak Bhavan, 6th floor,
Khan Market, New Delhi.

Dy. Director of Enforcement
Govt. of India,
2nd floor, Mittal Chambers,
Nariman Point, Bombay.

... Respondents.

Coram: Hon'ble Shri Justice S.K. Dhavan, Vice Chairman.

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

Appearance:

Shri G.R. Menghani, counsel
for the applicant.

Shri A.I. Bhatkar for Mr.
M.I. Sethna, advocate for
the respondents.

ORAL JUDGEMENT

Dated: 6.8.92

(Per Shri S.K. Dhaon, Vice Chairman)

By a common order dated 5.12.90, the
Dy. Dir
Dy. Director (Administration) reverted nine persons,
including the two applicants before us and one
Shri S.Balakrishnan from the post of Enforcement
Officer to the post of Asstt. Enforcement Officer.

¶ The applicants are challenging the ^{laid} ~~same~~ order before
us by means of this application.

Shri S.Balakrishnan, afore mentioned,
challenging the legality of impugned order by means of
OA 795/90 before the Madras Bench of this Tribunal.
The said Tribunal on 24.10.91 set aside the order of

reversion in so far as related to Shri S.Balakrishnan. It also gave certain directions.

We are informed by the learned counsel for respondents that subsequent to the judgement of the Madras Bench, Shri S.Balakrishnan and others including the applicants have been appointed as Enforcement Officer on regular basis. He, therefore, contended that this application does not survive any longer and therefore it should be dismissed having become infructuous. We feel that the learned counsel is not quite correct in his submission. The applicants are entitled to be placed at par with Shri S.Balakrishnan. We, therefore, allow this application and set aside the order of reversion dated 5.12.90 in so far as it relates to the applicants. We also direct that the applicants will be entitled to the same benefit, which have been given to Shri S.Balakrishnan by the Madras Bench by its order dated 24.10.91.

With these directions this application is allowed. There shall be no order as to costs.


(M.Y. PRIOLKAR)
MEMBER (A)


(S.K. DHAON)
VICE CHAIRMAN.

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