

## IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

BOMBAY BENCH

O.A. No. 262/92

198

xIndex No.

DATE OF DECISION 11-06-1992

DR. O P YADAV &amp; ANOTHER Petitioner

MR. S P SAXENA Advocate for the Petitioner(s)

Versus

UNION OF INDIA &amp; ORS. Respondent

MR. R K SHETTY Advocate for the Respondent(s)

## CORAM :

The Hon'ble Mr. T.S. OBEROI, MEMBER (J)

The Hon'ble Mr. 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?

MGI/PRRND-12 CAT/86-3-12-86-15,000

M(J)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH  
BOMBAY

REGN.NO. OA 262/92

Date of decision: 11.6.92

Dr.O.P.Yadav & anr. .... Applicants

Vs.

Union of India & ors..... Respondents

CORAM: THE HON'BLE MR.T.S.OBEROI, MEMBER(J)  
THE HON'BLE MRS.USHA SAVARA, MEMBER(A)

For the Applicants .... Sh.S.P.Saxena,  
Counsel.

For the Respondents .... Sh.R.K.Shetty,  
Counsel.

1.Whether the reporters of local papers  
may be allowed to see the judgement?

2.To be referred to the reporter or not?

JUDGEMENT(ORAL)

(DELIVERED BY HON'BLE MR.T.S.OBEROI, MEMBER)

The learned counsel for the respondents  
pointed out that the present representations(Annexures  
A-4 and A-5), made by the applicants depict the  
position with regard to the earlier seniority list  
dated 1.7.90 whereas there has been another seniority  
list dated 28.2.92 which has not been brought out in  
the above-mentioned representations or the present  
OA. The learned counsel for the respondents, therefore,  
pleaded that it would be better if the present OA  
is withdrawn by the applicants and they may make a  
fresh self-contained representation, addressed to  
the Chairman Ordnance Factory Board, Calcutta, with  
a copy thereof to the Secretary, Department of Defence  
Production, Ministry of Defence, New Delhi. The  
learned counsel for the respondents further went on to  
say that the Chairman, Ordnance Factory Board, Calcutta,

would carefully examine the applicants' representation, if so made, as mentioned above, and take all possible and appropriate steps to remedy the grievances of the applicants.

2. The learned counsel for the applicants, on the other hand, prayed that the present application may be kept pending for some reasonable time in the meantime, and the respondents may examine the applicants' earlier representations, as the same were routed through them while submitting <sup>the same</sup> to the Secretary, Department of Defence Production, Ministry of Defence, New Delhi.

3. We have considered the above position and direct the applicants to make a fresh detailed representation, depicting position with reference to the seniority list dt. 28.2.92, to the Chairman, Ordnance Factory Board, Calcutta, with a copy thereof to the Secretary, Department of Defence Production, Ministry of Defence, New Delhi, as mentioned above, within four weeks from the date of receipt of a copy of this order by the applicants, after which, on receipt of the said representation, the Chairman, Ordnance Factory Board, Calcutta, will consider the same, in accordance with the provisions of law and the rules on the subject, and take appropriate decision thereon, within six months, and communicate the same to the applicants. The applicants will be free to agitate the matter further, in accordance with law, and <sup>in view of</sup> ~~because of~~ the

*Deputy*

(S)

above ~~decision~~<sup>position</sup>, limitation will not come in the way of the applicants, if any further representation is required to be made by them. The present OA is disposed of on the above lines with no order as to costs.

*U. Savara*  
( USHA SAVARA ) 1/6/72  
MEMBER(A)

*T. S. Oberoi*  
( T.S. OBEROI )  
MEMBER(J)

11.6.92