

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

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O.A. NO: 360/92

199

T.A. NO: ---

DATE OF DECISION 28-8-1992

Augustine Simon Nunes

Petitioner

Mr.R.S.Apte

Advocate for the Petitioners

Versus

Union of India and ors.

Respondent

Mr.V.G.Rege

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

mbm*

MD

(S.K.DHAON)
VC

(6)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

O.A.360/92

Augustine Simon Nunes,
C/o.R.S.Apte,
Advocate,
Apte Rugnalaya,
Ram Maruti Road,
Naupada, Thane.

.. Applicant

-versus-

1. Chief Personnel Officer,
Central Railway,
Bombay V.T.

2. General Manager,
Central Railway,
Head Quarters Officer,
Bombay V.T.

3. Chairman,
Railway Board,
Ministry of Railways,
Rail Bhavan,
New Delhi.

4. Union of India .. Respondents

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

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

Appearances:

1. Mr.R.S.Apte
Advocate for the
Applicant.

2. Mr.V.G.Rege
Advocate for the
Respondents.

ORAL JUDGMENT: Date:28-8-1992
(Per S.K.Dhaon, Vice-Chairman)

Shri Rege who appears on behalf of the respondents states that during the pendency of this application the applicant has been promoted to the senior scale on adhoc basis from 17-3-1985. He also stated that the applicant will not be entitled to receive any arrears of pay and allowances for the period from 17-3-1985 to 27-10-86. However, the applicant will be eligible for

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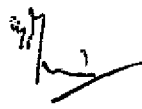
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
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notional fixation of pay w.e.f. 17.3.85.

In support of his statement, he has produced before us a photostat copy of the order passed on 14.8.1992 which is kept on record. In view of this statement, this application does not survive. Learned counsel for the applicant has urged that ~~xxx~~ inspite of the fact that he has been notionally promoted from 17th March, 1985 the applicant is entitled to receive arrears of pay and allowances from 17th March, 1985 to 27-10-1986. This is not permissible because admittedly the applicant had not worked on the promoted post during the said period. With these observations this application is disposed of finally. There will be no order as to costs.

2. Respondents are directed to give effect to the order of 14-8-1992 within a period of three months from today.


(M.Y. PRIOLKAR)
Member(A)


(S.K. DHAON)
Vice-Chairman

MD