

(4)

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No. 21/92
Transfer Application No.

Date of Decision : 10.2.1995

D.D.Patil

Petitioner

Shri G.D.Samant

Advocate for the
Petitioners

Versus

Union of India & Ors.

Respondents

Shri R.K.Shetty.

Advocate for the
respondents

C O R A M :

The Hon'ble Shri **Justice M.S.Deshpande**, Vice-Chairman,
The 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? No

[Signature]
(M.S.DESHPANDE)
VICE-CHAIRMAN.

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL,

BOMBAY BENCH, BOMBAY.

Original Application No.21/92.

D.D.Patil. ... Applicant.

V/s.

Union of India & Others. ... Respondents.

Coram: Hon'ble Shri Justice M.S.Deshpande,
Vice-Chairman,
Hon'ble Shri M.R.Kolhatkar, Member(A).

Appearances:-

Applicant by Shri G.D.Samant.
Respondents by Shri R.K.Shetty.

Oral Judgment:-

(Per Shri M.S.Deshpande, Vice-Chairman) Dt. 10.2.1995.

By the present application the applicant has sought a direction to promote him on par with his juniors as High Skilled Gr.II in scale Rs.330-480(AS) now Rs.1200-1800(RPS) with consequential benefits of basic pay and arrears of wages and such other reliefs/which they may be found entitled on merits. The applicant was initially appointed as a Casual Wireman from April, 1972 and ultimately was posted on his option in the solitary post of Instrument Repairer w.e.f. 21.8.1983. The applicant's grievance is that his juniors from his parent cadre were promoted against 10% of the posts upgraded as Highly Skilled Grade II (Electrician) which was denied to him. The Respondents contention was that he belonged to an isolated cadre for which he had opted.

2. However, Shri Shetty the learned counsel for the Respondents produced before us a document to show that the applicant was re-designated as Electrician (Skilled) w.e.f. 24.6.1987 and that the applicant would get promotion subject to his seniority depending upon the order of re-designation.

3. Shri Samant the learned counsel for the applicant states that the question of applicant's seniority after this re-designation shall have to be considered on the basis of the new situation and that at the moment he is satisfied with the order of re-designation of the applicant as Electrician (Skilled), but urges that he should be permitted to agitate the question of seniority consequent upon this redesignation by filing a fresh petition as that grievance would remain and arise on the basis of re-designation.

4. We therefore allow the applicant to withdraw this petition in view of the statement made by the learned counsel for the Respondents about the re-designation with liberty to the applicant to agitate the grievance about his seniority and promotion by filing a fresh petition if need arises. With this liberty this application is disposed of. There will be no order as to costs.

M.R.Kolhatkar

(M.R.KOLHATKAR)
MEMBER(A)

(M.S.DESHPANDE)
VICE-CHAIRMAN

B.