

(4)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL, BOMBAY BENCH,
CAMP AT NAGPUR.

Original Application No.757/92.

Shri Vasanta Aloni.

..... Applicant.

V/s.

The Union of India & Ors.

..... Respondents.

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

Appearances:-

Applicant by Ms. Sulekha Kumbhare.
Respondents by Shri Ramesh Darda.

Oral Judgment:-

(Per Shri M.S.Deshpande, Vice-Chairman) Dt. 26.7.1993

Heard counsel for the parties.

2. It is apparent that by the order dt. 13.2.1992 the Central Government did not consider this to be a fit case for making a reference for adjudication because the workman who was appointed as water-man had not put in 240 days of service and that his appointment was for a specified period in 1989-90. These reasons show that the Central Government had ^{assumed} dissolved the jurisdiction of the Labour Court which ^{was} the authority to determine the cases on merits and the Central Government should have made a reference to the Labour Court for decision of these questions. We therefore, treat this O.A. as writ petition and direct under Article 226 of the Constitution that the Central Government may now make a reference to the Labour Court under section 10(a) of the Industrial Disputes Act.

3. The application is disposed of with no order as to costs.


(M.Y.PRIOLKAR)
MEMBER(A)


(M.S.DESHPANDE)
VICE-CHAIRMAN