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CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH  
(CAMP: NAGPUR)  
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Original Application No: 792/92  
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Transfar Application No:

DATE OF DECISION: 15.12.1994

M.T. Patil

Petitioner

Mr. B.J. Kawade

Advocate for the Petitioners

Versus  
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U.O.I. & Ors.

-----Respondent

Mrs. Indira Bodade

-----Advocate for the Respondent(s)

CORAM :  
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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 ? *120*
2. Whether it needs to be circulated to other Benches of the Tribunal ? *no*

*[Signature]*  
V.C.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH  
CIRCUIT SITTING AT NAGPUR

O.A. NO. 792/92

M.T. Patil

..Applicant

V/s.

Union of India & Ors.

..Respondents

Coram: Hon.Shri Justice M.S.Deshpande, V.C.  
Hon.Shri M.R. Kolhatkar, Member (A)

Appearance:

Mr. B.J. Kawade  
Counsel for the applicant

Mrs. Indira Bodade  
Counsel for the respondents

ORAL JUDGMENT:  
(Per: M.S.Deshpande, Vice Chairman)

DATED: 15.12.1994

Though we heard the case for some time the real grievance of the applicant is that he has made a representation on 27.3.91 to the department seeking promotion and that representation has not been decided. The original representation was not annexed to the petition but Shri Kawade, Ld. counsel for the applicant handed over a copy of the representation to us.

The applicant has claimed the first promotion in the Grade Rs.210-270 from 18.11.1991 instead of 1.9.71. But this point was not pursued<sup>ed</sup> by the Ld. Counsel for the applicant because the claim in respect of that promotion would be time barred and confined his arguments only for promotion to the post carrying Rs.1640-2900 which became due on 4.10.1989 and both posts in that grade came to be filled by making them available to the open category. The controversy raised is that one of the posts should have been filled by applying the instructions

*[Signature]*

regarding reservation and that was not done. We make it clear that the controversy about the deemed date of promotion should be 18.11.1971 and not 1.9.1971 will not be reopened.

Mrs. Indira Bodade, Ld. Counsel for the respondents states that the respondents would consider the representation made by the applicant on 27.3.1991.

The only direction that we need make in the present case is that the representation should be considered by the respondents within three months from the date of communication of this order, subject to the applicant supplying a copy of the representation within a week to the Counsel for the Respondents. With this direction the O.A. is disposed of.

M.R. Kolhatkar

(M.R. Kolhatkar)  
Member(A)

M.S. Deshpande

(M.S. Deshpande)  
Vice Chairman