

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

Second Floor,  
Commercial Complex,  
Indiranagar,  
Bangalore-560038

22 SEP 1993

Dated:

APPLICATION NO(S) 613 of 1993.

APPLICANTS: C.Parthasarathy and RESPONDENTS: Secretary,Ministry of  
two others. v/s. Defence,NDelhi & Others.  
TO.

1. Sri.D.T.Devendran,  
Advocate, ~~Wadhwani Nagar~~,  
844,Upstairs,  
17th B-Main,  
Rajajinagar,  
Bangalore-10.
2. Sri.M.Vasudeva Rao,  
Central Govt.Stng.Counsel,  
High Court Building,  
Bangalore-1.
3. The Director,  
Aeronautical Development Establishment,  
C.V.Raman Nagar,Bangalore-560 093.

Subject:- Forwarding of copies of the Order passed by  
the Central Administrative Tribunal, Bangalore.

Please find enclosed herewith a copy of the  
ORDER/STAY/INTERIM ORDER, passed by this Tribunal in the  
above said application(s) on 13th September, 1993.

*Received*  
*Pl*  
*N. Deve S*  
*for DEPUTY REGISTRAR*  
*JUDICIAL BRANCHES.*  
22/9/93

gm\* Received copy  
M. Mohan  
Fm: D.T. Devendran 23/9/93

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH, BANGALORE

DATED THIS DAY THE 13TH OF SEPTEMBER, 1993

Present: Hon'ble Justice Mr.P.K. Shyamsundar, Vice-Chairman  
Hon'ble Mr.V. Ramakrishnan Member(A)

APPLICATION NO.613/1993

1. C. Parthasarathy,  
S/o late K. Chaluvappa,  
Aged about 42 years,  
Senior Scientific Assistant,  
Aeronautical Development Establishment,  
C.V. Raman Nagar,  
Bangalore - 93
2. Gopinath Beliya,  
S/o late B. Janardhan Beliya,  
Aged about 47 years,  
Senior Scientific Assistant,  
Aeronautical Development Establishment,  
C.V. Raman Nagar,  
Bangalore - 93
3. P. Prakasam,  
S/o late P. Kuppaiah,  
Aged about 47 years,  
Senior Scientific Assistant,  
Aeronautical Development Establishment,  
C.V. Raman Nagar,  
Bangalore - 93

Applicants

( Shri D.T. Devendran - Advocate )

v.

1. The Government of India  
rep. by its Secretary to Govt.  
Ministry of Defence,  
South Block,  
New Delhi - 110 011
2. The Scientific Adviser & Director General,  
R&D Organisation,  
South Block,  
New Delhi - 110 011
3. The Director,  
Aeronautical Development Establishment,  
C.V. Raman Nagar,  
Bangalore - 93



( Shri M.V. Rao - Advocate )

This application has come up today before this Tribunal for orders. Hon'ble Justice Mr.P.K. Shyamsundar, Vice Chairman made the following:

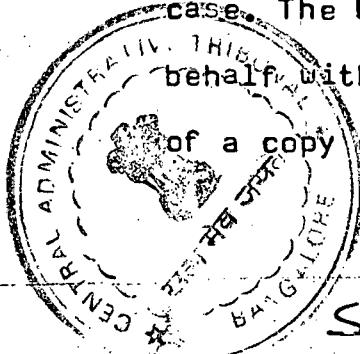
O R D E R

Albeit the objection raised that the applicant has taken his own sweet time in approaching this Tribunal and is actually a decade behind, we must take this opportunity of pointing out that the question raised herein is no longer resisting having been covered by the decision of the Tribunal in the case of Pinto & Ors. v. Government of India and others in O.A. No. 458 to 500/1990 disposed off on 30th December, 1991, wherein an order was made in the matter of applicability of the roster for reservation to SC/ST in respect of posts upgraded. That order has stood concluded with no further challenge by anyone before the Supreme Court. That is what we are told. It was, therefore, more appropriate for the Department itself to apply the ratio of the decision in Pinto's case to all other matters raised in the same issue. As a matter of fact, in similar matters we have applied the decision of this Tribunal in Pinto's case and granted reliefs to all the applicants. It seems to us that this is also a case wherein the decision of the Tribunal in Pinto's case referred to supra has to be followed. Accordingly, this application is allowed and following the order made in Pinto's case referred to supra, we direct the Department to



consider the claim of the applicant for awarding  
the benefit of the judgment rendered in Pinto's

case. The Department will take a decision in this  
behalf within three months from the date of receipt  
of a copy of this order. No costs.



Sd-

MEMBER (A)

Sd-

VICE CHAIRMAN

TRUE COPY

*M. Alles*  
SECTION OFFICER

~~ADDITIONAL ADMINISTRATIVE TRIBUNAL~~  
ADDITIONAL BENCH  
BANGALORE

20/9/93

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

Miscellaneous Appln.No.18/94 in

Second Floor,  
Commercial Complex,  
Indiranagar,  
Bangalore-38.

Dated: 8 MAR 1994

APPLICATION NO(s) 613 of 1993.

APPLICANTS: C.Parthasarathy and RESPONDENTS: Secretary,M/o.Defence,  
two Others. v/s. New Delhi and Others.

TO.

1. Sri.D.T.Devendran, Advocate,  
No.844,Upstairs,17-G-Main,  
5th Block,Rajajinagar,  
Bangalore-10.
2. Sri.M.S.Padmarajaiak,Sr.C.G.S.C.  
High Court Building,Bangalore-1.

SUBJECT:- Forwarding of copies of the Orders passed by  
the Central Administrative Tribunal,Bangalore.

-XXX-

Please find enclosed herewith a copy of the  
ORDER/STAY ORDER/INTERIM ORDER/, Passed by this Tribunal  
in the above mentioned application(s) on 28-02-1994.

gm\*

O/C  
Issued on 8.3.94  
Ganesh

for S. Shashikumar  
DEPUTY REGISTRAR 8/3  
JUDICIAL BRANCHES.

In the Central Administrative Tribunal  
Bangalore Bench  
Bangalore

613

Application No..... of 1993

ORDER SHEET (contd)

Date	Office Notes	Orders of Tribunal
		<p><u>(PKS)VC/(VR)M(A)</u> FEBRUARY 28, 1994.</p> <p><u>ORDER ON M.A.NO.18 OF 1994</u></p> <p>We have heard the learned standing counsel, apropos this application seeking more time to comply with the direction of this Tribunal. The judgment of the Tribunal under reference has since been upheld by the Supreme Court. In that situation we think that the Government should be more than anxious to comply with the directions of the Tribunal subsequently affirmed by the Supreme Court. But, then from what we are told to-day and from the records produced before us there does not appear to be any anxiety on the part of the administration to comply with the orders of this Tribunal, subsequently upheld by the Supreme Court as well. While we must record our strong dissent and express our displeasure regarding the delay involved in the implementation of the Tribunal's order, we however accede to the emphatic plea made by the learned Standing Counsel for more time. Acceeding to his request for further extension of time, we grant</p>



Date	Office Notes	Orders of Tribunal
		<p>four months time to comply with the orders as from to-day. We make it clear to the learned Standing Counsel, through him to his clients, that on no account any further extension of time will be granted. Let a copy of this order be made available to the Government counsel. We direct that one more application of a similar nature said to be pending in O.A.No.9/94 but listed before the other bench is ordered to be brought before this Bench and disposed off in like terms.</p> <p>Sd- <span style="float: right;">Sd-</span> MEMBER(A) <span style="float: right;">V</span> VICE-CHAIRMAN. ppp.</p> <p><b>TRUE COPY</b></p> <p><i>S. Banerji</i> 8/3 SECTION OFFICER CENTRAL ADMINISTRATIVE TRIBUNAL ADDITIONAL BENCH BANGALORE</p>