

(2)

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No: 1201/93

XXXXXXXXXXXXXXXXXXXX

DATE OF DECISION 17.1.1994

Shri V.M.Bhingarde & Anr. Petitioner

Shri P.K.Jadhav Advocate for the Petitioners

Versus

Union (of) India & Ors. Respondent

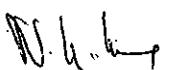
Shri A.I.Bhatkar for Sh.M.I.Seth Advocate for the Respondent(s)

CORAM:

The Hon'ble Shri Justice M.S.Deshpande, Vice Chairman

The Hon'ble Shri N.K.Verma, Member (A)

1. ~~Whether Reporters of local papers may be allowed to see the Judgement?~~
2. To be referred to the Reporter or not? NO
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?~~ NO


(N.K.VERMA)
MEMBER (A)


(M.S.DESHPANDE)
VICE CHAIRMAN

NS/

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, BOMBAY

(3)

DA.NO.1201/93

Shri Vijay Maruti Bhingarde & Anr. ... Applicants

V/S.

Union of India & Ors. ... Respondents

CORAM: Hon'ble Vice Chairman Shri Justice M.S.Deshpande
Hon'ble Member (A) Shri N.K.Verma

Appearance

Shri P.K.Jadhav
Advocate
for the Applicant

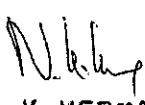
Shri A.I.Bhatkar
for Shri M.I.Sethna
Advocate
for the Respondents

ORAL JUDGEMENT

Dated: 17.1.1994

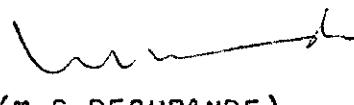
(PER: M.S.Deshpande, Vice Chairman)

Heard both the parties. The relief claimed in this application by the applicants is regularisation as Graphic Artists in accordance with the scheme framed. The applicants are already out of employment since 1991. Shri Bhatkar for the respondents states that the respondents are willing to consider the issue of appointment in pursuance of the scheme already framed and grant of regularisation to them on the basis of seniority as per scheme as and when a permanent vacancy becomes available. In view of this statement which the respondents' counsel has made, nothing would survive in the application. The learned counsel for the applicants, however, states that he should be given casual contract till the regularisation of the service. This is not an issue which is covered by the scheme which was framed under the direction of the Principal Bench and no such direction can be made to the respondents. That prayer is rejected. The application is disposed of.


(N.K.VERMA)

MEMBER (A)

mrj.


(M.S.DESHPANDE)

VICE CHAIRMAN

(4)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL AT BOMBAY
BENCH OF BOMBAY

RP No. 118/94 in
OA 1201/93.

Date of decision 23.1.95

Vijay Maruti Bhingarde and another.

....Petitioners.

Vs.

Union of India & others

....Respondents.

ORDER

This is a Review Petition filed by the applicant in OA 1201 of 1993 disposed of on 17.1.94. The applicant in this R.P. has brought up information that Respondent No. 3 had issued a notice for which the last date of application was 15.2.94 and which came to the knowledge of the applicants only on 27.6.94. Having come to know of this, which is at variance with the directions issued by the Principal Bench in the OA disposed of earlier, the applicants seek regularisation on the post of Graphic Artist or in the alternative the applicants should be regularised as per the scheme approved within a period of 6 months. Pending the hearing and final disposal of the Application respondents may be directed not to act on the notice/advertisement inviting applications for various posts issued by Respondent No. 3.

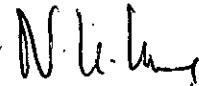
N. N.
2. The R.P. has been filed after delay of 5 months. M.P. No. 993/94 has also been filed alongwith RP seeking condonation of delay. In this MP no valid ground has been given for the delay in filing the R.P. Notice-cum-advertisement must have been issued sufficiently in advance of the closing date from the receipt of the application i.e. 15.2.94.

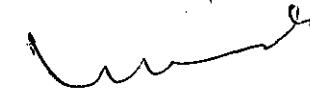
3. It is unbelievable that the applicants who were agitating for their regularisation should not have been able to learn about this notice-cum-advertisement

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while the matter was agitated before this Bench on 17.1.1993. Curiously, the dates on which notice/advertisement has been issued has not been mentioned. Photo copy does not bear any date of issue of notice/advertisement or even the ~~name~~ ^{name} date of paper in which it had appeared. Normally, every such notice/advertisement would give a time margin of at least a month before the announced closing dates. In any case, the matter pertains to the non-compliance of the directions issued under the judgment of the principal Bench in OA No.563/1986 delivered sometime in October, 1990. This needs to be, ~~if at all~~ ^{if at all}, taken up as a contempt matter before that Bench and not through Review petition in this Bench. The O.A. before this Bench already stands disposed of, against which this Review petition is directed very much belatedly.

3. In view of the above, the Review petition is dismissed.


(N.K. VERMA)
MEMBER (A)


(M.S. DESHPANDE)
VICE CHAIRMAN