

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No: 1214/93

~~XXXXXXXXXXXXXXXXXXXX~~

DATE OF DECISION 28.3.1994

Shri M.J.Nair & Ors. Petitioner

Shri A.I.Bhatkar Advocate for the Petitioners

Versus

Union of India & Ors. Respondent

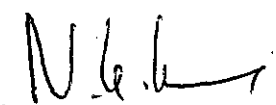
Shri V.S.Masurkar Advocate for the Respondent(s)

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

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, BOMBAY

OA.NO. 1214/93

Shri M.J.Nair & Ors.

... 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 A.I.Bhatkar
Advocate
for the Applicant

Shri V.S.Masurkar
Advocate
for the Respondents

ORAL JUDGEMENT

Dated: 28.3.1994

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

M.P.NO. 26/94 for carrying out the formal amendment is granted. The amendment be carried out today. Shri Bhatkar does not press M.P.No. 318/94 for adding Bhosale's name in this petition. The M.P. for early hearing is allowed.

2. There is no controversy now about the position that the applicants are the persons similarly situated as those in OA.NO. 732/88 and OA.NO. 306/88 which have been granted by this Bench of the Tribunal and the order passed on 21.6.1991 which runs thus :

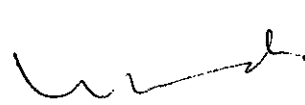
- "(i) Respondents shall give all benefits due to the applicants in both the cases as per the Ministry of Defence letter No.83482/EC-4/Org.4(Civ)(d)/13754/D(Civ-II) Dated 24.11.1967 as amended by corrigendum No.13051/OS-SC(11)/2968/D(Civ-II) dated 27.5.1980, from the dates on which the applicants were initially appointed on casual basis, by ignoring the artificial or technical breaks in their services.

- (ii) Respondents shall fix the seniority of the applicants in their respective grade from the dates on which they are absorbed against regular vacancies.
- (iii) Respondent No. 4 shall give benefit of this order to other employees working in the establishments under him and who are similarly placed like the applicants before us."

3. In para 13 at page 3 of the reply filed by the respondents, it is stated that the respondents are ready to give all the consequential benefits to applicants as directed in OA.306/88 as similarly placed employees except seniority. As the seniority is to be given to the employees w.e.f. regularisation of their services as per existing Govt. orders in force.

4. The only direction which we need give in the present application would be in terms of clauses (i) and (ii) of the order passed in OA. 306/88 with a further direction that the respondents shall implement these orders as early as possible, preferably within six months. The OA. stands disposed of in the above terms.


(N.K.VERMA)
MEMBER (A)


(M.S.DESHPANDE)
VICE CHAIRMAN

mrj.