

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH.

Original Application No. 591/93

Transfer Application No. -----

Date of decision 7-7-1993

S.R.Bhalerao

Petitioner

Mr.S.Jha

Advocate for the Petitioner

Versus

U.O.I. & Ors.

Respondent

Mr.A.I.Bhatkar

Advocate for the Respondent(s)

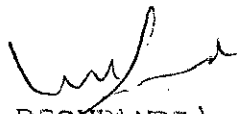
Coram :

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

The Hon'ble Shri M.Y.Priolkar, Member(A)

1. Whether the Reporters of local papers may be allowed to see the Judgement ? yes
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ? no
4. Whether it needs to be circulated to other Benches of the Tribunal ?

M


(M.S.DESHPANDE)
VC

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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

O.A.591/93

S.R.Bhalerao,
C/o.M.G.Gaikwad,
Dr.Ambedkar Town Housing
Society,
Room No.1/12, Anand Road,
Deolali Camp,
Nasik.

.. Applicant

-versus-

1. The Directorate General,
Doordarshan
Mandi House,
New Delhi - 110 001.

2. The Chief Engineer(W-2),
All India Radio &
Doordarshan,
101, M.K.Road,
Bombay - 400 020.

3. The Station Engineer,
Doordarshan Maintenance
Centre, Satpur,
Nasik 422 007.

.. Respondents

Coram: Hon'ble Shri Justice M.S.Deshpande,
Vice-Chairman

Hon'ble Shri M.Y.Priolkar,
Member(A)

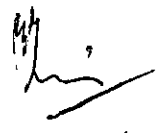
Appearances:


1. Mr.S.Jha
Advocate for the
applicant.
2. Mr.A.I.Bhatkar
Advocate for the
Respondents.

ORAL JUDGMENT: Date: 7-7-1993
(Per M.S.Deshpande,Vice-Chairman)

Heard Mr.S.Jha,advocate for the
applicant and Mr.A.I.Bhatkar,advocate for the
respondents.

2. The only point on which the panel was cancelled as per letter dt. 18-5-93(Ex.'B') was that the selection committee had not been constituted properly. This position is apparent also from the particulars given by the applicant in para 3 of the application and 117 and 118 of the Establishment Matters, the extract of which has been made available to us by the respondents counsel. In place of three members the committee was constituted by four members and the 4th member Shri G.B.Dharade, Member from the Minority Community/SC and ST could not have been present on the selection committee considering the constitution of the committee. No exception can, therefore, be taken to the order at Ex.'B' and we see no merit in this application which is dismissed summarily. Interim order vacated.


(M.Y. PRIOLKAR)
M(A)


(M.S. DESHPANDE)
VC

M

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY

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Review Petition No. 75/93
in O.A. No.591/93

Shri S.R.Bhalerao

..

Applicant

vs

Union of India
Through Directorate General
Doordarshan, Mandi House,
New Delhi-110-001 and ors.

..

Respondents.

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

Tribunal's Order

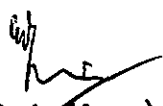
Dated: 23-11-93

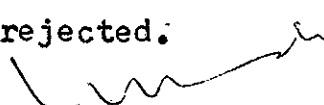
(Per: Shri M.Y.Priolkar, Member(A))

This Review Petition has been filed by the applicant in O.A. 591/93 for a review of our order dated 7-7-93 by which that O.A. was summarily dismissed. We held in that order that no exception could be taken to the cancellation of the selection since the Selection Committee was not constituted properly and the fourth member could not ^{been} have present on the Selection Committee.

2. No error of law or of fact, apparent from the record, is brought out in the review petition. The review is sought only on the ground that merely because one more member belonging to SC/ST community was taken on the Selection Committee as an abundant precaution, ^{it does not vitiate the selection.} An additional argument is given that earlier also such a fourth member was taken on the Selection Committee but these selections have not been cancelled. In our view, both these arguments will not justify a review of our order dated 7-7-93. What the review petitioner seeks in fact is a review of our order on the ground that it is erroneous on merits. But this does not come within the scope of a review.

3. We see no sufficient reason to warrant a review of our order dated 7-7-93. The review petition is rejected.


(M.Y.Priolkar)
Member(A)


(M.S.Deshpande)
Vice-Chairman.