

CENTRAL ADMINISTRATIVE TRIBUNAL  
BENCH AT MUMBAI

ORIGINAL APPLICATION No. 638/1993

Date of Decision: 19.3.97

Shri R.L. Thorat and 114 others

Petitioner/s

Shri H.S. Sawant.

Advocate for the  
Petitioner/s

V/s.

Union of India and others

Respondent/s

Shri R.K. Shetty.


Advocate for the  
Respondent/s

CORAM:

Hon'ble Shri B.S. Hegde, Member(J)

Hon'ble Shri P.P. Srivastava, Member (A)

- (1) To be referred to the Reporter or not ? ☒
- (2) Whether it needs to be circulated to other Benches of the Tribunal ? ☒

  
(B.S. Hegde)  
Member(J)

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH 'GULESTAN' BUILDING NO:6  
PRESCOT ROAD, BOMBAY:1

Original Application No. 638/93

Wednesday the 19th day of March 1997.

CORAM: Hon'ble Shri B.S. Hegde, Member (J)

Hon'ble Shri P.P. Srivastava, Member (A)

1. R.L. Thorat
2. M.T. Kanoje
3. A.S. Muktekar
4. R.R. Kamble
5. L.B. Jadhav
6. Vilas L. Bhise
7. Ashok P. Kamble
8. J.P. Nagare
9. B.L. Thorat
10. Suresh Veerappa
11. P.B. Vaidya
12. Prabhakar P.R.
13. M. Sampat
14. Govind Sahu
15. M.B. Avaghade
16. C.M. Chachara
17. P.D. Baslingol
18. S.C. Kamble
19. Allabux
20. Chandra Thomas
21. D.B. Tigdar
22. Pancham Singh Kalam
23. Fauzdar Singh Rajput
24. Phoolchand Rajput
25. Nityanand Veerappa
26. M.D. Sutar
27. Dhoba Gantayat
28. M.M. Yakub
29. A.L. Thorat
30. N.M. Krishna
31. S.K. Mastak
32. P.D. Talekar
33. D.B. Gholap
34. Banvali Sakha
35. K.M. Nair
36. A.A. Hussein
37. Ulla Sahu
38. Imam Hussein.

85. S.T.Tawasalkar
86. R.S. Thomas
87. R.B. Paste
88. D.B. Mohprekar
89. S.G. Kudale
90. S.S.Patil
91. S.S. Sonawane
92. Johnson R.Gade
93. S.J. Shinde
94. K. Rangaswamy
95. B.B. Khavle
96. S.P. Murudkar
97. R.B. Gamare
98. N.A. Ganekar
99. K.D. Miskin
100. V.M. Narawade
101. Sharad Kadam
102. K. Ganpthy
103. Nityanand S/o Aligan
104. B.P. Kamble
105. H.F. Chinchole
106. S.P. Gaikawad
107. D.D.Kharat
108. R.K. Palav
109. S.K. Joil
110. A.N. Paghare
111. C.M. Abhang
112. A.G. Shetty.
113. Bashir Ahmad
114. R.R. Govekar
115. B.S.Jagte.

All Daily Wages Labourers working  
in Mazgaon Dock , a civilian wing  
labourers under Ministry of Defence  
The Commandant, Embarkation H.Q.  
Docks Branch, 179, P.D!mellow Road  
Bombay.

... Applicants.

By Advocate Shri H.A. Sawant.

V/s.

The Union of India represented  
by the Secretary to Government  
Ministry of Defence, New Delhi.

The Additional Director General  
of Movements Army H.Q. Q.M.G's  
Branch , New Delhi.

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39. Hanumat Veerappa
40. Gopal Sadanand
41. Amovasi Katurani
42. G.M. Rajwade
43. Shrinath Bhagiram
44. Harihar Binayak Sahu
45. S.K. Abdul Sattar
46. Venu Manikam
47. S.N. Sahu
48. Prakash Govind Shetty
49. Murugan Maligam
50. J.G. Purushotam
51. Durai Mani
52. Natarajan Shetty
53. Madhavan Muthan
54. Selvaraj Aligan
55. Shankar Fakir Chinchole
56. Govind Swamy Anugamuthu
57. Suresh Baba Naik
58. A.K. Fernandes
59. Anwar Baksha S/o Rahimtulla
60. N.V. Shetkar
61. D.B. Mate
62. R.N. Kamble
63. N.R. Rane
64. O.S. More.
65. P.N. Ingle
66. P.L. Gawade
67. K.G. Mahase
68. M.D. Sawant
69. Ashok R. Salunke
70. Shantaram B. Sable
71. Bharat Laxman Ughade
72. Anil Chimaji Kedare
73. Vithal Anukush Gawade
74. Sunil Vithal Bhalerao
75. Sunil Shankar Shilkar
76. Eppili Arakita S/o Damabam
77. Sayyad Kadar Sirajuddin
78. S.C. Gawas.
79. S.P. Kasarang
80. P.B. Sawant
81. V.S. Kadam
82. S.G. Teli
83. S.V. Amrute
84. N.K. Pol

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The Commandant Embarkation  
Head Quarter Docks Branch  
179, P. D'mellow Road,  
Bombay.

... Respondents.

By Advocate Shri R.K. Shetty.

ORDER (ORAL)

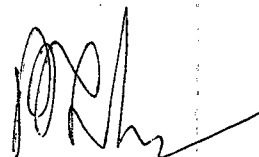
¶ Per Shri B.S. Hegde, Member (J) ¶

Heard counsel for the parties.

2. The main prayer made in this O.A. is to consider the claims of the applicants for being absorbed in the services and posted in regular posts in the cadre of class IV/Group 'D' employees, 115 employees have filed this O.A. jointly. Out of which 39 employees have been regularised.

3. The learned counsel for the respondents states that as and when the vacancy arises they will consider the case of the applicants for regularisation.

4. In the light of the above, we, hereby direct the respondents to absorb the applicants as and when the vacancy arises and regularise the applicants according to the Rules. Accordingly the O.A. is disposed of.



(P.P. Srivastava)  
Member (A)



(B.S. Hegde)  
Member (J)

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH, MUMBAI.

Contempt Petition No.50/99

In

Original Application No.638/93

Friday the 7th Day of January, 2000.

Coram : Hon'ble Shri B.N. Bahadur, Member (A).  
Hon'ble Shri S.L. Jain, Member (J).

Shri M.T. Kanoje & 10 Others .. Petitioners.

Petitioners by Shri Y.R. Singh, Advocate.

Vs.

1. Ranjit Khanna,  
The Commandant Embarkation,  
Headquarters Docks Branch,  
179 P. D'Mello Road,  
Bombay.

.. Respondents.

Respondents by Shri R.K. Shetty, Counsel.

TRIBUNAL'S ORDER :

The Learned Counsel for the petitioners Shri Y.R. Singh appears before us in this Contempt Petition; we have heard him. We are not convinced that any Contempt has taken place in the matter, Since, as fairly admitted by Learned Counsel, there is no action taken to fill up the vacancy by appointing any other person. Even the fact that the vacancies are not filled up is correct. <sup>B.N.B.</sup> ~~It~~ cannot amount to contempt and hence the Contempt Petition fails and hereby dismissed with no order as to costs.

*A. Jain*  
( S.L. JAIN )  
MEMBER (J).

*B.N. Bahadur*  
( B.N. BAHADUR ) 07/01/2000  
MEMBER (A).

H.