

(2)

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No: 682/94

Transferred Application No:

DATE OF DECISION: 19.8.94

A.B. Metellu

Petitioner

Shri S.P. Saxena

Advocate for the Petitioners

Versus

Union of India and others Respondent

Shri R.K. Shetty Advocate for the Respondent(s)

CORAM :

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

The Hon'ble Shri M.R. Kolhatkar, 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)

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No. 682/94

A.B. Metellu

... Applicant.

V/s.

Union of India through
the Secretary,
Ministry of Defence,
DHQ, PO South Block
New Delhi.

The General Manager
Ammunition Factory
Kirkee Pune

... Respondents.

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

Hon'ble Shri M.R. Kolhatkar, Member (A)

Appearance:

Shri S.P. Saxena, counsel
for the applicant.

Shri R.K. Shetty, counsel
for the respondents.

ORAL JUDGEMENT.

Dated: 19.8.94

(Per Shri B.S. Hegde, Member (J))

The Tribunal vide its order dated 12.11.91
while disposing of the O.A. 623/90 passed the following
order :

" While dismissing the application the
Tribunal suggested that in case the applicant
approaches the department for a fresh
appointment in view of the past experience
and earlier good service record, the applicant
may be considered by the department for such
re-appointment, if found fit, after relaxing
the prescribed age limit in this regard."

The Tribunal also observed in para 3 that
the applicant has put in 12 years of satisfactory
service ^{but} _{in view of certain family problems}
and also medical treatment required by the
applicant including treatment for mental
illness he could not be regular in attendance."

The respondents vide their letter dated 2.3.94 informed the applicant that after perusal of past record by the Disciplinary Authority his request for re-appointment cannot be accepted .

In the circumstances, we hereby direct the applicant to give fresh representation for re-appointment ^{and} on receipt of the same the respondents are directed to consider the applicant for re-appointment as per the directions given by the Tribunal and ~~pass~~ a speaking order while disposing of the representation, within a period of three months from the date of receipt of the representation. In the light of the ~~above~~, the O.A is disposed of with the above directions .

M.R.Kolhatkar

(M.R.Kolhatkar)
Member (A)

B.S.Hegde

(B.S. Hegde)
Member (J)

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