

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

Original Application No: 36/94

Date of Decision: 21.6.99

Amol Ramachandra Belhe and Ors.

Applicant.

Advocate for
Applicant.

Versus

Union of India and Anr.

Respondent(s)

Shri V.S.Masurkar

Advocate for
Respondent(s)

CORAM:

Hon'ble Shri. Justice K.M.Agarwal, Chairman,

Hon'ble Shri. R.K.Ahooja, Member(A).

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

(K.M.AGARWAL)
CHAIRMAN

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION NO. 36/94.

Monday this the 21st day of June, 99.

Coram: Hon'ble Shri Justice K.M.Agarwal, Chairman,
Hon'ble Shri R.K.Ahooja, Member(A).

1. Amol Ramachandra Belhe,
 2. Mrs.Urmila Raghunath Vichare,
 3. Mrs.Shila Syril Noronna,
 4. Shrikant Vasant Barate
 5. Ramdas Kashinath Parhad,
 6. Shivaji Kisan Desai, and
 7. Mahendra Bhagwan Sonavane. ... Applicants.
- (By Advocate - None)

Vs.

The Dy. Development Commissioner
for Handloom, Government of
India, Ministry of Textiles,
Regional Office of the
Development Commissioner for
Handloom (Enforcement), and Anr. ... Respondents.

(By Advocate Shri V.S.Masurkar)

: ORDER :

(Per Shri Justice K.M.Agarwal, Chairman)

These seven applicants in this O.A. have claimed a common relief to direct the respondents to take steps for the purpose of re-opening the Enforcement Office at Pune or at any other place and to give employment to the applicants pursuant to their earlier selection and appointment.

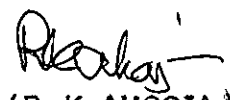
2. Briefly stated, the Enforcement Office at Pune was established under the Ministry of Textiles. Certain posts for that Enforcement Office were advertised, a selection made and appointment letters given. The applicants were the persons who were selected for the various posts and also appointed against them. Soon thereafter, it appears that the

...2.

said Enforcement Office was closed. The matter went up to the Supreme Court and the Supreme Court granted stay ^{which was later vacated}. Accordingly, the Enforcement Office was re-opened at Ahmedabad, but not at Pune. So the first relief claimed by the applicants in the present OA has been satisfied.

3. So far as the other relief of the applicants for giving them employment is concerned, it appears that offers of employment were given to all the applicants at the new Enforcement Office re-opened at Ahmedabad. Except the applicants at Sl.No. 1, 6 and 7 i.e. A.R.Belhe, S.K.Desai and M.B.Sonavane the other applicants did not join their posts at Ahmedabad. So far as the applicants at Sl.No.1, 6 and 7 are concerned, they have got their second relief also. So far as the others are concerned, they refused to accept the appointment by their conduct of not joining the post at Ahmedabad Office.

4. In the aforesaid circumstances, we are of the view that this O.A. has become infructuous and accordingly it is hereby dismissed as having become infructuous. No costs.


(R.K.AHOJA)
MEMBER(A)


(K.M.AGARWAL)
CHAIRMAN

B.