

(3)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,

BOMBAY BENCH

Date of Order;

RP No.75/94

in

QA No.73/94

Shri P.J. Gondhale & Others ... petitioners

VERSUS

The Ministry of Defence
and 4 Ors.

... Respondents.

PER HON'BLE MR. N.K. VERMA,

THIS is a Review petition filed by the petitioners against the order dated 6.4.1994 in QA No.73/94, wherein the application was dismissed at the admission stage itself. In the Review petition, the applicant has brought to the notice the orders of D.B. of this Tribunal on 4.9.'87 in QA No.376/87 and QA No.436/87 in which direction was issued to the Respondents that "respondents shall appoint all the fifteen applicants and five other persons who were found suitable for appointment as Mazdoors on the basis of the interviews held by the Board of Officers on 24.9.1994, provided, they were found medically fit and their antecedents were not adverse for being appointed as Mazdoors. As regards age, we direct that if they are found within the age on the date of the next interview i.e. on 15.6.1987 they should not be rejected as age barred though they might be age barred thereafter." The applicants had claimed that they were interviewed on 15th of June, '87 and have been selected for the said post, but respondents did not make an offer of appointment since last six years. On the other hand, the Respondents issued appointment orders in respect of those who were interviewed and selected on the

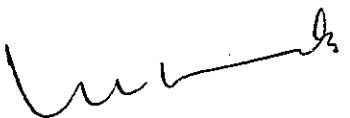
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27th of July, '87. The OA was dismissed by us on the ground that there was no averment in the application that people who were junior in the panel to the applicants had been appointed nor their dates of appointments had been given. The application also does not disclose any cause of action.

2/ In the Review petition, the applicants have not brought out any new record or evidence in support of the application. The OA No.376/87 and O.A. No.436/87 were filed by Shri Manohar Rangnath Pawar and 12 others and Dilip Keshav Dhadge and Anr. It has not been established whether the applicant was also one of the applicants in either of two OAs filed in 1987. Even if he was one of the applicants, the orders directed that all the 20 persons including 15 applicants found suitable on the basis of interviews on 25.9.'84 were to be appointed subject to the medical fitness and proper verification of antecedents. The applicant was interviewed on 15.6.'87 as per his own statement in the OA. The fact that he was not appointed thereafter and kept quiet for six years while the candidates interviewed on subsequent occasion were appointed does not warrant any interference at this ~~xx~~ stage. Our orders dated 28.3.1994 call for no review.

3/ The Review petition is accordingly dismissed.


(N.K. VERMA)


(M.S. DESH PANDE)
V.C.