

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

2

Original Application No. 1330/94

Transfer Application No.

Date of Decision : 27/03/1995

Jamun Kanti

Petitioner

Shri. P.G. Zare

Advocate for the
Petitioners

Versus

Union of India & Ors.

Respondents

Shri.S.C.Dhawan

Advocate for the
respondents

C O R A M :

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

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

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

[Signature]
(M.S.Deshpande)
V.C

J*

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

O.A. 1330/94

Jamun Kanti .. Applicant

Vs.

Union of India & Ors. .. Respondents

CORAM : 1. Hon'ble Shri Justice M.S.Deshpande, V.C
2. Hon'ble Shri P.P. Srivastava, Member (A)

APPEARANCES

1. Shri. P.G. Zare, Counsel
for applicant.
2. Shri. S.C. Dhawan, Counsel
for respondents

ORAL JUDGMENT

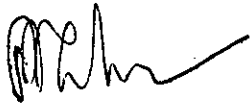
DATED : 27/03/1995

(Per Shri Justice M.S.Deshpande, V.C)

Two prayers have been made in the present application. The first prayer is that the respondents should be directed to absorb the applicant against the posts available with the Division under which the RE projects covered geographically where the applicant is working and secondly that to grant all the post-retirement/pensionary benefits on and from 1.10.1995 to the applicant after his retirement/superannuation on attaining the age of 58 years.

2. The applicant is working as Casual/Monthly rated Blacksmith under Respondents 1 and 2 for the last about 30 years. The respondents have filed their written statement raising objection firstly that the applicant belongs to Jhansi Division and therefore this Bench of the Tribunal will have no jurisdiction and secondly that the applicant was duly screened for regularisation on or about 30.12.1994 and that the

applicant can claim regularisation only as per his panel position as and when vacancies arise on the open line in the Jhansi Division. The second respondent under whom the applicant is working is Chief Electrical Engineer (R.E), Nagpur, Central Railway. The applicant states that Jhansi Electrical Division would fall under Railway Electrification, Allahabad. In view of this, the respondent's contention that this Bench of the Tribunal would have no jurisdiction to entertain the applicant shall have to be accepted. However, we do not think that the applicant is likely to suffer because the respondents have already made a statement that the applicant has been screened for regularisation on or about 30.12.94 and that he can claim regularisation as per his panel position as and when vacancies arise on the open line in the Jhansi division. Shri.S.C.Dhawan, learned counsel for the respondents tells us that the applicant is at Sl.No. 46 in the panel which has been annexed to their reply. All that we can observe is that any such benefits which would arise out of regularisation when the applicant's turn comes, should be extended to him. With this ^{observation} ~~direction~~, the O.A is disposed of.


(P.P. SRIVASTAVA)
MEMBER (A)


(M.S.DESHPANDE)
VICE-CHAIRMAN