

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

O.A.858/94.

Shri I.K.Pandit

... Applicant

Vs.

The Union of India & 2 ors.

... Respondents

JURAM: Hon'ble Shri M.S.Deshpande, Vice Chairman.

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

APPEARANCES

1. Smt. N.V.Masurkar, Counsel for applicant.
2. Shri R.K.Shetty, Counsel for respondents.

ORAL JUDGEMENT:

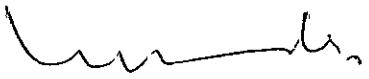
DATED : 17/10/94.

(Per. Shri M.S.Deshpande, Vice Chairman)

By this application the applicant challenges the order dated 21/4/94 by which the respondent No.1 refused to make reference to the Labour Court. The Circular dt. 21/4/94 which originated from respondent-1 shows that the Central Government did not consider the present case, for making reference to the adjudication because the applicant has not put in 240 days in 12 months prior to the applicant's disengagement on 11/8/89 and was not therefore eligible for any compensation under Industrial Disputes Act. It is ~~very certain~~ ^{well settled} that where the appropriate Government is of the opinion that any Industrial dispute exists or apprehended, ^{at any} time by order in writing refer the matter to the Labour Court. We therefore quash the order dt. 21/4/94 and direct respondent-1 to make a reference under section 10-1(D) of the Industrial Disputes Act. With this direction the OA is disposed of.

Respondent -1 did not put in appearance. But Shri Bhatkar filed a reply for respondent-2.


(P.P.SRIVASTAVA)
M(A)


(M.S.DESHPANDE)
V.C.

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