

Fixed for App. during the  
Circuit Sitting commencing  
from 6/10/95 at Nagpur.

Researched  
2/11/95

6.3.95  
Sl. No. 40

1

None for the parties.

Dismissed in default  
of appearance of parties.

M.R.Kothakar  
(M. R. Kothakar) (M. S. Deshpande)  
M (R) v/c.

Copy of order  
despatched on 24/3/95

24/3/95

MR. No. (1) 220/95 for  
Restoration of OA. is  
Fixed for orders in the  
Week comm 11/9/95.

8/10/95

Date - 11-9-95

M. K. P. Lahade, Counsel for  
applicant.

Notice of application for  
restoration to the respondents  
returnable in the week commencing  
from 13-11-95.

(P. P. Saravata) (M. S. Deshpande)  
M (R) v/c.

Notices issued to  
Applicant/Respondents on 28/9/95

28/9/95

2

Date: 10.1.96. MP(N) 220/95

Heard Mr. K. P. Lohaware for the applicant. Applicant has filed MP(N) 220/95 for restoration of O.A. which has been dismissed in default of appearance.

(10)

In view of the reasons explained in the H.P., O.A is restored to file. H.P is disposed of.

Issue notice to the respondents to file their reply within four weeks.

S.O. to week commencing

from 11.3.96 for A.H.

Mr. Kolhatkar (B. S. Hegde)  
(M.R. Kolhatkar) M(J).

dt. 10/1/96.  
order/Judgement despatched  
to Applicant/Respondent(s)  
on 22/1/96

✓88  
23/1/96.

Recd. Reply dt. 21/12/95  
at 11 a.m. on 11.1.96

(10)

Dated: 11/3/96.

None for the applicant.  
Sh. M. G. Bhangde, counsel is present  
on behalf of the Respondents.  
The learned counsel for the  
Respondents states that the applicant  
has been promoted as Filter General  
Mechanic H.S. II on 21/7/95, whereas  
the present application was filed  
in November, 1994.

In the circumstances, the  
prayer made in para 7 has become  
infructuous. The O.A. is disposed of  
as infructuous.

Order dtd. 11/3/96  
to Applicant/Respondent(s)  
9/9/96 by post  
18/9/96 by hand  
(R/9/96)

M.R.Kotharkar  
(M.R. Kotharkar)  
M(A)

B.S.Hegde  
(B.S. Hegde)  
M(J)

R.P. no. 85/96  
by circular  
27/9/96

(4)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH, 'GULESTAN', BUILDING NO.6  
PRESOCOT ROAD, MUMBAI-1

REVIEW PETITION NO. 85/96

in

ORIGINAL APPLICATION No. 112/95

DATED : THIS 28th DAY OF AUGUST, 1996

Coram : Hon. Shri B S Hegde, Member (J)  
Hon. Shri M R Kolhatkar, Member (A)

S.D. Gajabhiye ..Applicant

V/s.

Military Engg. Services & 4 ors. ..Respondents

ORDER (By circulation)  
(Per: B.S. Hegde, Member (J))

This Review Petition is filed against the order of the Tribunal dated 11.3.96 seeking review of the judgment on the ground that he was appointed as Engine Fitter on 1.8.83. The category of Engine Fitter and Vehicle Mechanic are similar and were clubbed together for promotion. The contention of the applicant is that he should have got the promotion immediately after three years of his appointment.

2. When the matter was fixed for hearing, on 11.3.96 after issuing notices to the parties the applicant did not appear nor his counsel was present. Mr. M.G. Bhangade, Counsel for the Respondents had appeared and on the submission made by the Respondent's counsel that the applicant has been promoted as Fitter General Mechanic H.S. II on 21.7.95 and on the basis of that submission the application was disposed of as

infructuous because the prayer made in the O.A. has been complied with.

3. Keeping in view Order 47, Rule 1 of C.P.C. and a perusal of the Review Petition, we find that the applicant has not brought any new facts nor there is an error apparent on the face of record. In the absence of any new facts brought out in the Review Petition, the grounds raised in the Review Petition does not warrant any review and is devoid of merit. Accordingly the Review Petition is dismissed by circulation with no order as to costs.

M.R. Kolhatkar  
(M.R. Kolhatkar)  
Member (A)

Hegde  
(B.S. Hegde)  
Member (J)

trk

dt: 28.8.96  
order/Judgement despatched  
to Applicant/Respondent (S)  
on 5.9.96

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