

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI.

C.P. No.13/2000 in
ORIGINAL APPLICATION NO:691/98

TRIBUNAL's ORDER

DATED: 7.7.2000

Shri M.S. Ramamurthy counsel for the applicant. Shri V.S. Masurkar counsel for the respondents.

2. C.P. 13/2000 has been filed by the original applicant in OA 691/98. We have gone through the reply to the C.P. filed by the original respondents.

3. The respondents state that the request for change of trade from Train Lighting group to general group has been considered by the competent authority from the date of present OA namely with effect from 30.7.1998. We note that the direction given in the order of the Tribunal in the OA on 16.4.1999 was by way of a direction that the respondents should consider the applicant's case for change of trade from Train Lighting section and if they decide to grant the prayer for change of trade then it must be granted with effect from 30.7.1998 with seniority from that date.

4. In view of the reply to CP at para 5 it is noted that the order has been implemented.

5. Shri Ramamurthy counsel for the applicant, who is present, did make a point that his presumption is that seniority has been given with effect from 30.7.1998 and states that applicant should be given liberty to approach the administration for clarification regarding promotion. The issue of promotion is not before us and nor it is a point in the C.P. Needless to say, it is always open for the applicant to approach their employer to seek clarification on further development as per rules.

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI.

C.P. NO. 13/2000 i/s
ORIGINIAL APPLICATION NO: 601/98

DATE: 7.7.2000

TRIBUNAL, A ORDER

SRI M.S. RAMAMURTHY COUNSEL FOR THE APPLICANT. SRI A.S.

MASITHKA COUNSEL FOR THE RESPONDENT.

3. C.P. 13/2000 has been filed by the ordinary applicant in OA 601/98. We have gone through the reply of the C.P. filed by the ordinary respondent.

3. The respondent states that the demand for change of grade from TATA IRISCUA along to DEMENTIAR AND has been considered by the competent authority from the date of present OA 2000 with effect from 30.7.1998. We note that the direction given in the order of the Tribunal in OA no 16.4.1998 was by way of a direction that the respondent should consider the application, a case for change of grade from TATA IRISCUA DEMENTIAR AND if it may decide to grant the player for change of grade from OA 601/98 with effect from 30.7.1998 if it may be arranged with effect from 30.7.1998 with seniority if any.

4. In view of the reply to C.P. at para 3 it is noted that the order has been implemented.

5. Sri M.S. RAMAMURTHY COUNSEL FOR THE APPLICANT WHO IS PRESENT DID MAKE A POINT THAT THIS PRESENTATION IS THAT SENIORITY HAS BEEN GIVEN WITH EFFECT FROM 30.7.1998 AND STATES THAT APPLICANT SHOULD BE GIVEN DIFFERENT TO APPLICANT THE ADMINISTRATION FOR CLASSIFICATION REGARDING PROMOTION. THE ISSUE OF PROMOTION IS NOT PERTINENT AS AND FOR IT IS A POINT IN THE C.P. NEEDLESS TO SAY, IF IT IS ALWAYS OPEN FOR THE APPLICANT THEM TO EMPLOYER TO SEEK CLASSIFICATION ON FURTHER DEVELOPMENT AS PER HIS.

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6. We therefore note that the order of the Tribunal has been implemented, though belatedly. There is no intentional disobedience. The C.P. is hereby rejected. Notices issued is discharged.

S.L.JAIN
(S.L.JAIN)
Member (J)

B.N.BAHADUR
07/07/2000
(B.N.BAHADUR)
Member (A)

NS

✓/2/00
order/Judgement despatched
to Applicant/Respondent (s)
on 18/2/00

✓/2/00
19/7/00