

OA No. 104/94 : Date of order 18.5.94
B.S. Shah : Applicant
Union of India & Others : Respondents
Mr. J.K. Kaushik : Counsel for the applicant
Mr. Manish Bhandari : Counsel for the respondents

CORAM

Hon'ble Mr. Justice D.L. Mehta, (Vice-Chairman)

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

PER HON'BLE MR. JUSTICE D.L. MEHTA, (VICE-CHAIRMAN)

This is a joint petition on behalf of the four applicants and one of them Shri Bakshish Singh has filed OA no. 222/92 which was rejected on 26.8.92. This Bench has perused that circular referred to by the applicant dated 1.11.91, is not applicable in the case of the employees who are working in the office of Board. After considering this circular the application was rejected.

2. The applicants have again come on the basis of the very circular and tried to conceal this fact by not giving any reference from the previous decision of this Tribunal and it was submitted that now that they are coming on the basis of the judgement of this Bench dated 3.2.94. Mr. J.K. Kaushik submits that the applicant Bakshish Singh is a party in the OA and rest three applicants were not party in that OA. When there is joint application, there is a meeting of mind and the application is submitted after considering all the facts including the prayer of the case. Any person who have filed a joint application with Bakshish Singh has agitate this matter which has been once rejected. Apart from that the circular Annexure A-3 produced in this case which was (Circular Annexure A- in that case it is clear that the post of group 'C' drawing Office cadre in various grades, in Board's Office were circulated. The word 'Board Office' is pertinent and it is circulated for the employees working in this Board and not the employees who are in the field or in the Division. Without deciding this case on merit the application is dismissed for concealing the facts. The applicants are fined with a cost of Rs. 1000/-. The respondents shall be at liberty to collect Rs. 1000/- from the applicants by deducting out

their salary.



(P.P. Srivastava)

Member (A)



(D.L. Mehta)

Vice-Chairman