

CENTRAL ADMINISTRATIVE TRIBUNAL,
MUMBAI BENCH, MUMBAI

OA No.210/770/2019

Dated this Tuesday the 10th day of December, 2019

Coram: Dr.Bhagwan Sahai, Member (A).
R.N.Singh, Member (J).

Shri Kanji Laxman,
Alias Cana Lacmane,
Aged about 61 years,
then working as: Chowkidar,
Public Works Department,
Works Division No.II,
Diu-362 570 and presently
residing at: 1304, Patel Sheri,
Buchar Wala, U.T. Of Daman and Diu,
Diu-362 570.

...Applicant.

(By Advocate Shri L. C. Kranti).

Versus

1. The Administrator,
Union Territory of Daman,
And Diu, Secretariat,
Daman 342 570.
2. The Chief Engineer,
Public Works Department,
Secretariat, Daman 342 570.
3. The Executive Engineer,
Public Works Department,
Public Works Division No.II,
U. T. and Daman & Diu-342 570.

... Respondents.

(By Advocate Shri D. A. Dube).

O R D E R (O R A L)
Per : R. N. Singh, Member (J)

Present.

1. Sri S. R. Atre, learned counsel for the
applicant.
2. The applicant who is stated to have been

working in a Group 'D' post under the respondents
u have¹ approached this Tribunal by way of the present
OA under Section 19 of the Administrative Tribunals
Act, 1985 seeking the following reliefs:

"(a) This Hon'ble Tribunal be pleased to call for the record and proceedings of the present case and after examining the legality and propriety thereof, direct the Respondents to absorb the Applicant as a regular employee and direct them to count his service from 16th April, 1981 till his superannuation on 31st December, 2018 for all retiral benefits, for grant of 1st and 3rd Financial upgradation, and including pensionary benefits.

(b) This Hon'ble Tribunal be pleased to hold and declare that the Applicant is entitled for counting his service from 16th April, 1981 to the date of his superannuation on 31st December, 2018 for all retiral benefits, fixation of pay under the 1st and 3rd financial upgradation and pensionary benefits as would accrue to him on grant of such benefits.

(c) Pass any such order and/or orders as this Hon'ble Tribunal deems fit and proper in the facts and circumstances of the present case.

(d) Costs of the application be provided for."

3. After arguing for some time, the learned counsel for the applicant seeks permission to withdraw the OA with liberty to the applicant to make a comprehensive representation in a time-bound manner and with a further prayer ^{that} ~~and~~ if such representation is preferred by the applicant, the respondents shall consider and decide in a time-bound manner.

4. In view of the above, the OA is disposed of with liberty to the applicant to make a comprehensive representation before the Competent Authority under the respondents within 15 days from the date of receipt of certified copy of this order and in case such representation is preferred by the applicant within the time stipulated herein, the respondents are directed to consider and dispose of the same by passing a reasoned and speaking order as expeditiously as possible and in any case within eight weeks from the date of receipt of certified copy of this order. It is made clear that we have not expressed any opinion on the merit of the case.

5. The OA is disposed of in the aforesaid terms.

6. No order as to costs.

(R. N. Singh)
Member (J)

(Dr. Bhagwan Sahai)
Member (A)

V.

JD
13/12/19

