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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA 735/2002

New Delhi this the 22nd day of March, 2002

Hon'ble Shri S.R. Adige, Vice Chairman (A)
Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman (J)

Shri J.K. Nagpal
Research Officer
National Buld. Organisation,
Ministry of Urban Development
and Poverty Alleviation,
Nirman Bhawan, New Delhi

..Applicant

By Advocate Sh. M.B. Agarwal)

VERSUS

1. The Secretary,
Ministry of Finance,
Department of Economic
Affairs, IES Division,
Govt. of India, North Block,
New Delhi.
2. The Secretary,
Ministry of Urban Development
and Poverty Alleviation,
Nirman Bhawan, New Delhi.
3. The Director,
National Building Organisation,
Nirman Bhawan, New Delhi.

..Respondents

O R D E R (ORAL)

(Hon'ble Shri S.R. Adige, Vice Chairman (A))

Applicant impugns the respondents order dated 26.2.2002 reverting him to the substantive post of Senior Investigator and repatriating him to the Ministry of Urban Development.

2. We have heard applicant's counsel Shri Mohan B. Aggarwal who states that pursuant to the aforesaid order dated 26.2.2002, the applicant has been reverted from a retrospective date, i.e. 7.5.2001.

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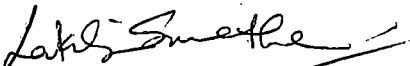
3. In this connection, we have perused the respondents order dated 6.11.2000 extending applicant's ad hoc promotion till 7.5.2001.

4. The aforesaid impugned order dated 26.2.2002 merely states that applicant's ad hoc appointment was not extended beyond 7.5.2001 which does not mean that he is being reverted by the impugned order dated 26.2.2002 retrospectively w.e.f. 7.5.2001.

5. Applicant's counsel states that other persons similarly situated were reverted from a back date, and he apprehends that similar orders may be issued in his case also.

6. This Bench cannot act merely on apprehension. If the applicant is indeed reverted from a back date it will be open to him to agitate the same separately, in accordance with law, if so advised.

7. With the above observations, the present OA is dismissed in limine.


(Smt. Lakshmi Swaminathan)
Vice Chairman (J)


(S.R. Adige)
Vice Chairman (A)

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