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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

OA NO. 2080/2002

This the 9th day of September, 2002

HON'BLE SH. KULDIP SINGH, MEMBER (J)  
HON'BLE SH. S.A.T. RIZVI, MEMBER (A)

1. Smt. Kamini Sahoo,  
Widow of Late Shri B.C. Sahoo  
R/o 14/809, Lodhi Colony,  
New Delhi-110003.
2. Shri Ranjan Kumar Sahoo,  
S/o Late Shri B.C. Sahoo,  
R/o 14/809, Lodhi Colony,  
New Delhi, 110003.
3. Shri Tapan Kumar Sahoo,  
S/o Late Shri B.C. Sahoo,  
R/o 14/809, Lodhi Colony,  
New Delhi, 110003.
4. Shri Biman Kumar Sahoo,  
S/o Late Shri B.C. Sahoo,  
R/o 14/809, Lodhi Colony,  
New Delhi, 110003.

(By Advocate: Sh. M.K. Bhardwaj)

Versus

Union of India through

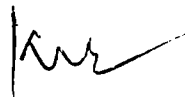
1. The Cabinet Secretary,  
Cabinet Secretariat,  
South Block,  
New Delhi-1.
2. Director General of Security,  
Co-ordination Cell,  
V (East), R.K. Puram,  
New Delhi-66.
3. Joint Director (P&C),  
Directorate General of Security,  
Co-ordination Cell,  
V (East), R.K. Puram,  
New Delhi-66.

O R D E R (ORAL)

By Sh. Kuldip Singh, Member (J)

Counsel for applicant in this OA seeks the following reliefs:

- i) To quash and set aside the Memorandum dated 3.5.2002 (Annexure A01) passed by the Deputy Director (A).



ii) To direct the respondents to re-fix the pay and release the pensionary benefits of the deceased employee.

iii) To direct the respondents to give the same treatment as had been given to Shri L.K.Singh and to restore him to the post of Assistant as well as S.O. with effect from the date of his junior has been promoted.

iv) To command the respondents to extend the benefit of the judgement dated 16.4.99 passed in OA-679/98 to the deceased employee also.

v) To pass such other and further orders which their lordships of this Hon'ble Tribunal deem fit and proper in the existing facts and circumstances of this case.

2. The case of the applicant is that her husband Sh. B.C.Sahoo was appointed as a Storekeeper and then the cadre of Storekeeper was later on converted as combined UDC cadre on 24.8.1976. Another person, namely, Sh. L.K.Singh who was also working as a Storekeeper alongwith Sh. B.C.Sahoo had filed an OA seeking benefit of counting of his past service and consequential benefits thereon. The said OA (679/98) was allowed vide order dated 16.4.99. Applicant claims that his past service rendered by him may be counted for the purpose of promotion.

3. We have heard Sh. Bhardwaj, learned counsel appearing for the applicant and have also gone through the judgment given in OA-679/98 in case of L.K.Singh vs. Union of India. The reading of judgment in case of L.K.Singh (supra) makes it quite clear that L.K.Singh was initially appointed as LDC in



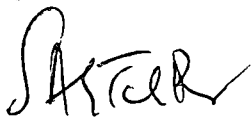
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Aviation Research Centre at Orissa on 14.9.1964 and he was later on posted as a Storekeeper against his wishes and he had been making protest to that effect. However, after the cadre of Storekeeper was combined to UDC on 24.8.1976, his seniority alongwith B.C.Sahoo also started to be counted from 24.8.1976 which fact was challenged by L.K.Singh, as he was, against his wishes, posted as Storekeeper and has been making protest to that effect. In OA-678/99 the applicant is entitled to continue on the post of Assistant and to get all the consequential benefits.

4. In OA-678/99 filed by L.K.Singh he was given all the benefits. So applicant claims that he is also entitled to count his past service.

5. In this case, we may mention that the case of B.C.Sahoo is totally different as B.C.Sahoo had initially joined as Storekeeper and which cadre was combined with UDC w.e.f. 24.8.1976, which means the applicants predecessor had changed cadre only from the date of combination of cadres. Thus, he came to the ministerial cadre only on 24.8.76. He had no previous service of ministerial cadre of which he could claim benefit. Thus, the case of applicant is totally distinguishable as facts with the case of Sh. L.K.Singh.

6. Hence, we are of the considered view that no intereference is called for. OA is dismissed.



( S.A.T. RIZVI )  
Member (A)



( KULDIP SINGH )  
Member (J)