

**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH**

**OA No-2618/2014**

**New Delhi, this the 04<sup>th</sup> day of February, 2020**

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman**  
**Hon'ble Mr. A.K. Bishnoi, Member (A)**



Sardar Singh, Asstt, 59 years  
S/o late Sh. Dalip Singh  
R/o C/o Shri Chattar Singh  
H.No. 511, Near Old State Bank Building  
Vill & PO Badli, Delhi-110042. ... Applicant

(through Sh. Ranbir Singh for Sh. T.J.S. Chawla)

Versus

Union of India

Through their Secretaries

1. Ministry of Road Transport and Highways  
Transport Bhawan, Parliament Street  
New Delhi-110001.
2. Ministry of Shipping  
Transport Bhawan, Parliament Street  
New Delhi-110001.
3. Department of Personnel & Training  
North Block, New Delhi-110001.
4. Sh. Jag Mohan Jain  
S/o Shri R.L. Jain  
Section Officer (CR Section)  
Ministry of Road Transport and Highways  
Parliament Street, New Delhi-110001.

... Respondents

(through Dr. Ch. Shamshuddin Khan)

## ORDER(ORAL)

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman**



The applicant was appointed as Lower Division Clerk (LDC) in the erstwhile Ministry of Surface Transport. He was also promoted as Upper Division Clerk (UDC) in the year 1981. Through an order dated 12.09.1985, he was appointed as an Assistant. The Ministry was bifurcated in the year 2011 into (a) Ministry of Transport and Highways and (b) Ministry of Shipping. The employees were also allocated. One Mr. Jag Mohan Jain- fourth respondent herein, Assistant, was promoted as Section Officer (SO) by the Ministry of Transport and Highways. The applicant states that Mr. Jag Mohan Jain is junior to him and despite that, he, i.e., the applicant was denied promotion. The representation made by the applicant in this behalf was also dealt with and his claims were negated.

2. In this OA, the applicant has challenged the office order dated 27.06.2013, through which the employees were allocated between the two Ministries, that were carved out of the Ministry of Surface Transport and the order of promotion dated 17.09.2013, issued to Mr. Jag Mohan Jain- the fourth respondent herein. The applicant contends that the fourth respondent was far junior to him and despite that, he was denied promotion.

3. Counter affidavit is filed, dealing with various contentions advanced by the applicant. It is stated that the applicant is under misconception about the steps that were taken in the context of bifurcation of the Ministry.

4. We heard Sh. Ranbir Singh, learned counsel for the applicant and Dr. Ch. Shamshuddin Khan, learned counsel for the respondents.

5. The claim of the applicant is, for promotion to the post of Section Officer in preference to the fourth respondent. We would have certainly appreciated that contention, had the applicant made available to us, a common seniority list, wherein he figured senior to the fourth respondent.



The record does not contain any such list. Further, the applicant is not clear about the allocation of himself on the one hand, and that of the fourth respondent, on the other, to the Ministries, after the bifurcation. At any rate, the applicant has since retired from service and no useful purpose will be served even if the relief is granted to him.

6. We do not find any merit in the OA and, accordingly, the same is dismissed. There shall be no order as to costs.

**(A.K. Bishnoi)**  
**Member (A)**

**(Justice L. Narasimha Reddy)**  
**Chairman**

/ns/