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CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH

O.A.No. 1210 of 2001

New Delhi: this the 9th April, 2002

HON'BLE MR. S. R. Adige, Vice Chairman (A)

HON'BLE MR. SHANKER RAJU, MEMBER (J)

1. Budhimal
S/o. Late Hira Lal
R/o. B/35, Sadhnagar,
Palam Colony,
New Delhi 110045
 2. L.M. Choudhary
S/o. Late Gugli Chand
R/o. 235 E, Mayur Vihar Phase I
Pocket I
New Delhi
 3. Raghuvir Singh
S/o. Late Ishwar Singh
R/o. F-259, Nanakpura
New Delhi
 4. Nanak Chand
S/o. Late Dayal Singh
R/o. Ward No.8, Mehrauli
New Delhi
 5. B.N. Binjola
CBI Headquartera
AD-II
CGO Complex, New Delhi
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6. Prem Chand
S/o. Late Bansi Lal
R/o. 209, Kishan Ganj
Vasant Kunj,
New Delhi
7. Pyare Lal,
S/o. Late Ram Dhan
R/o. 31/X, Chitragupta Road
Paharganj,
New Delhi
8. Sumer Singh
S/o Late Mulakh Ram
R/o. A/169, Mahipal Pur,
New Delhi
9. Shri Kishan
S/o. Late Chander Sen
R/o. House No. 2785,
Sita Ram Bazar, Gali Aira
New Delhi
10. Bachan Singh
S/o. Late Dhiraj Singh
R/o. Raithala Village & P.O.
New Delhi
11. Ishwar Dayal Saini
S/o. Late Hari Singh
R/o. Saini Pura
Rohtak Road, New Delhi
12. Jagdish
S/o. Late Govind Ram
R/o. 60E, CBI Colony
Vasant Vihar
New Delhi
13. Raghubar Dayal
S/o. Late Mamraj Sharma
R/o. House No. 40/2,
Ramgarh Colony, New Delhi

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14. Moti Lal
S/o. Late Rameshwar Prasad
R/o. 45D, Vasant Vihar
New Delhi
15. Prem Lal
EOW I
Lok Nayak Bhavan
Khan Market, New Delhi
16. Mohan Lal
S/o. Late Hriday Ram
R/o. Vill. & PO Faridabad
Haryana
17. Sant Lal
S/o. Late Brij Mohan
R/o. Vill. & PO Faridabad
Haryana
18. Gyanender Singh,
S/o. Late Ram Prasad
R/o. House No.57C
CBI Colony
Vasant Vihar, New Delhi
19. Nawal Singh
S/o. Late Rati Ram
R/o. 42G, Vasant Vihar
New Delhi

(By Advocate: Shri K.C. Mattal)
Versus

Applicants.

1. The Secretary,
Department of Personnel & Training,
Ministry of Personnel, Government of India,
North Block, New Delhi
2. The Director,
Central Bureau of Investigation,
CGO Complex,
Lodi Road, New Delhi 110003

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3. Bhawani Shanker,
Inspector,
AC-III Zone
New Delhi
4. Bhagwan Singh,
Inspector
AC-B
New Delhi
5. Balu Singh,
Sub Inspector,
CBI,
Jodhpur
6. I.D. Sharma
Sub Inspector
ACB
Delhi
7. R.K. Mishra,
Sub Inspector
BS&FC,
New Delhi
8. Prem Prakash
Sub Inspector
Chandigarh
9. P. Sathya Narianan
Sub Inspector
Hyderabad
10. Nahar Singh
Sub Inspector
Jodhpur
11. Sahdev Dubey,
Sub Inspector
SIC -IV, Lucknow
12. G.M. Bhosle,
Sub Inspector,
BS & FC
13. K.P. George,
Sub Inspector,
Cochin
14. K. Madhavmurthy
Sub Inspector,
EOW, Chennai
15. Budhi Ram,
Sub Inspector
STF,
Delhi
16. Gian Bahadur
SI, MDMA
Jamnagar House, New Delhi
17. Prakash Chand,
Sub Inspector,
BS&FC,
Delhi
18. Jagan Rai,
SI
MDMA,
Vigyan Bhavan, Delhi
19. P.C. Yadav,
SI,
ACU III
New Delhi
20. D.K. Mullick
Sub Inspector
STF,
Mumbai

21. K. Ramachandran,
ASI,
Chennai
22. Tilak Raj,
ASI
EOW II, New Delhi
23. Balak Ram,
ASI
SCB-II,
Delhi
24. T.M. Venugopal,
ASI,
ACB
Chennai
25. A.K. Sreekumaran,
ASI
SU,
Chennai
26. P.K. Purushothaman,
ASI
ACB,
Chennai
27. Khairati Lal,
ASI
ACB
Chandigarh
28. S.C. Pandey,
ASI, AC-I
New Delhi
29. Chandan Singh Rawat,
ASI
ACB,
Chandigarh
30. A.K. Rai
ASI, AHD,
Dhanbad
31. Pratap Singh-II,
ASI, CBI,
Dehradun
32. Daljeet Singh,
ASI
B&FC
Delhi
33. Ram Kishan,
ASI, SCB-II
Delhi
34. Sardar Singh,
ASI.Coordination,
Delhi
35. Dharmender Singh,
ASI.SIU-10
Delhi
36. Radhey Shyam
ASI, EOW-II,
Delhi
37. U.N. Singh
ASI
ACU-I
Delhi
38. Jai Lal Singh
ASI.
ACB
Chandigarh
39. V. Tulsi
ASI,ACB,
Chennai

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|-----|-------------------------------------------|-----|----------------------------------------------------------|
| 40. | R.A. Raut
ASI,EOW
Mumbai | 49. | Hari Shankar Deubey
ASI,ACB
Bhopal |
| 41. | K. Radhakrishnan
ASI
EOW
Chennai | 50. | A.K. Mishra
ASI,EOW
Calcutta |
| 42. | C. Achutan
ASI
ACB
Chennai | 51. | Manohar Lal
ASI, SIU-XV
Chandigarh |
| 43. | P.V. Rajan
ASI
CBI
Cochin | 52. | Munshi Ram
Inspector
SIC-IV,
New Delhi |
| 44. | N.K. Tiwari
ASI,EOW-I,
Delhi | 53. | Rameshewar Singh
AC-II, Lok Nayak Bhavan
New Delhi |
| 45. | Raj Narain Singh
ASI, S. U
Delhi | 54. | D.N. Singh
AC-I, CGO Complex
New Delhi |
| 46. | Ashok Kumar Sharma
ASI, S U-8
Delhi | 55. | Yograj Singh
AC II
New Delhi |
| 47. | G.Maria Das
ASI
S. U,
Calcutta | 56. | J.N. Gogoi
Inspector
ACB
Gauhati |
| 48. | R.K. Jha
ASI, ACB,
Ranchi | 57. | R.A. Mishra,
SIU-10
New Delhi |
| | | 58. | Prithvi Singh
EOW, New Delhi |

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|----------------------------------------------|---------------------------------------|
| 59. Lakhan Dev Singh
ACB, Patna | 71. RK Mishra
BS & FC
New Delhi |
| 60. Nand Lal
Inspector
SEU, New Delhi | 72. Ram Phal
AC-II, New Delhi |
| 61. U.R. Dhaware
SI, BS & FC
Bombay | 73. N.K. Singh
ACB, Dhanbad |
| 62. GC Dutta
ACI, New Delhi | 74. Banwar Lal
ACB,
Jodhpur |
| 63. Balwan Singh
SI, Head Office
Delhi | 75. R.S. Singh
BS & FC.
Mumbai |
| 64. Chotey Lal
SIC-I, New Delhi | 76. Hira Lal
AHD
Patna |
| 65. KG Mudras
SU, Bombay | 77. S.V. Singh
AC-I, Delhi |
| 66. Narbada Prasad
SIU-X
New Delhi | 78. Sunder Lal
ACU-V
New Delhi |
| 67. CK Kesar Sagar
SCB,
Bombay | 79. M.I. Khan
ACB, Bhopal |
| 68. R.K. Sharma
AHD,
Ranchi | 80. A.K. Sinha
EOW-I
New Delhi |
| 69. R. Thiruvengadam
SI
SU, Chennai | 81. Khushi Ram
MDMA
New Delhi |
| 70. Khaleel Ahmad
SIU IX, New Delhi | 82. Ajun Dwivedi
SIC-IV, New Delhi |

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83. Ram Tek Singh
STF,
New Delhi
84. Chaturbhuj
SU, Delhi
85. Lilu Ram
SIC-II
New Delhi
86. S.B. Singh
SIC-IV, Lucknow
87. Kapoor Singh
STF, New Delhi
88. Alam Singh
ACB, Jaipur
89. Sat Prakash
EOW
New Delhi
90. Rattan Singh
BS & FC
New Delhi
91. S.D. Kothari
Banking
CGO Complex,
New Delhi
92. Sher Singh
STF, New Delhi
93. Azad Singh
SIU-IX
New Delhi
93. Bhagwan Singh
ACB, Patna

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94. D.Chakraverty
ACB
Calcutta
95. Gul MOhammed
SIC-II
New Delhi.
96. Satpal Singh
SIC-III (SIU-IX)
New Delhi ... Respondents.
(By Advocate: Shri H.K.Gangwani)

ORDER

S.R. ADIGE, VC (A)

Applicants seek the reliefs contained in para 8 of the OA.

2. Heard both sides.

3. The thrust of Shri Mittal's argument is that respondents have implemented the ruling of CAT Lucknow Bench in OA 190/88 Vikramaditya Singh Vs. Union of India & Others (SLJ 1992(3) CAT 98 and of the Hon'ble Supreme Court dated 3.8.95 in SLP 15004/94 & CWP No.427/94 wrongly. It is contended that even if, pursuant to those rulings, the promotion of the appellants to the post of Head Constables after 9.10.87 was to be reviewed and considered in the light of their seniority in the Seniority List that was revised w.e.f. 9.10.87, they could not be made senior to applicants who had been promoted as Head Constables prior to 9.10.87, and formed a separate bloc.

4. This very argument was considered and decisively rejected for good and present reasons by CAT Principal Bench, New Delhi in paras 7 and 8 of its order dated 4.2.2000 in OA 1230/96 Raghuvir Singh Vs. UOI & Ors. Nothing has been shown to establish that the aforesaid order date 4.2.2000 has been stayed, modified or set aside. Furthermore, the Apex Court's ruling dated 3.8.95 directed that the promotion of Constables who were promoted prior to 9.10.87 would not be disturbed, meaning thereby that they would not be reverted consequent to the revision of the seniority list. The aforesaid ruling has nowhere directed that despite revision of the seniority list, those Constables who were promoted as Head Constables prior to 9.10.87, would continue to remain senior and would constitute a separate bloc, as contended by Shri Mittal.

5. In this connection, we notice that ^{despite} Shri Raghvir Singh's OA bearing No.1230/96 being dismissed by aforesaid order dated 4.2.2000, he was also a signatory to the present OA which was filed on 14.5.2001, which fact was not disclosed at the time of filing the OA, and it was respondents who brought this fact to the notice of the Bench on 13.7.2001.

6. Shri Gangwani has asserted that OA No.1061/2001 Dayanand Sharma & Ors. Vs. Secretary, DoPT ^{for} was filed by persons similarly placed as the applicant in the present OA. That OA was dismissed by order dated 18.2.2002 (copy on record) not only for non-appearance of the applicants on several dates of hearing, but also because the Bench after perusing

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the material on record found no merit in the OA. These assertions of Shri Gangwani were not denied by Shri Mittal during hearing and nothing has been shown to us to establish that the aforesaid order dated 18.2.2002 in Dayanand Sharma's case (supra) has been stayed, modified or set aside.

7. In the result, the OA warrants no interference. It is dismissed. No costs.

S. Raju

(Shanker Raju)
Member (J)

/ug/

Ant. Adige

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