

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH



O.A. NO.1940/2001

New Delhi this the 3rd day of August, 2001.

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN

HON'BLE SHRI S.A.T.RIZVI, MEMBER (A)

Manmohan Singh Grover,
U.D.C.,
Council of Scientific & Industrial
Research, 'Anusandhan Bhawan',
Rafi Marg, New Delhi-110001.

... Applicant

(By Shri K.N.Bahuguna, Advocate)

-versus-

Council of Scientific &
Industrial Research,
'Anusandhan Bhawan',
Rafi Marg, New Delhi-110001
through its Joint Secretary (Admn.).

... Respondent

O R D E R (ORAL)

Shri Justice Ashok Agarwal:-

Applicant had been appointed as a Lower Division Clerk (LDC) on compassionate grounds on 9.1.1985. He was transferred on 1.6.1994 on his own request from Council of Scientific & Industrial Research (CSIR) to Central Scientific Instruments Organisation (CSIO). He was re-transferred back from CSIO to CSIR again on his own request on 27.3.1996. LDCs who according to applicant were junior to him were promoted as Upper Division Clerks (UDCs) w.e.f. 19.1.1993 (under cadre review after 8 years) whereas applicant was similarly promoted later on 20.9.2000. Aforesaid promotion of juniors over the head of applicant is impugned in the present OA.

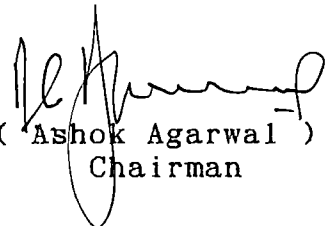
2. In our view, there is no merit in the present OA. Transfer of applicant from CSIR to CSIO and from CSIO to CSIR are on his own request. Hence,

he is bound to lose his seniority and is bound to be placed at the bottom of the seniority list. No case is, therefore, made out for interference.

3. Present OA is accordingly dismissed in limine.



(S.A.T. Rizvi)
Member (A)



(Ashok Agarwal)
Chairman

/as/