

(8)

CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH

DA No. 35/2001

New Delhi: this the 24<sup>th</sup> day of September, 2001

HON'BLE MR. S. R. ADIGE VICE CHAIRMAN (A).

HON'BLE DR. A. VEDAVALLI, MEMBER (J)

J. N. Gera,

S/o Shri Asa Nand Gera,

R/o A-205, Aman Apartment, Shalimar Garden,  
Extension-II A,

Sahibabad

....Applicant

(By Advocate: Ms. Nidhi Bisaria)

Versus

1. Union of India,  
through  
Secretary,  
Ministry of Defence,  
New Delhi.

2. Chief of Air Staff,  
Vayu Bhawan,  
New Delhi

....Respondents.

(By Advocate: Shri R. N. Singh)

ORDER

S. R. Adige, VC (A):

Applicant impugns respondents' order dated 26.3.98 (Annexure-A3) and dated 11.1.99 (Annexure-A-3 colly.) and seeks a direction to respondents to correct his seniority in the cadre of Clerk LDU with all consequential benefits in terms of the Tribunal's order dated 15.2.96 in TA No. 43/91 S. N. Kaushik Vs. Secretary, Ministry of defence; in order dated 5.11.97 in OA Nos. 2028/96 and 587/97 and order dated 20.12.99 in OA No. 815/99 with consequential benefits.

2. Heard both sides.

3. Admittedly applicant was appointed in Air Force as Equipment Assistant on 15.3.61 and was

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subsequently redesignated as LDC(U). Applicant has not denied in rejoinder, the specific averment of respondents in para 2 of their preliminary objections, that he was appointed as Store Keeper as a direct recruit in 1970 in accordance with the relevant recruitment rules, and retired w.e.f. 31.7.2000 as Sr. Store Superintendent. He has filed the present OA after his retirement.

4. Having left the clerical cadre and joined Storekeeping Cadre after his appointment as Store Keeper in 1970 as a direct recruit, and then having retired w.e.f. 31.7.2000, the question of correction of applicant's seniority in the clerical cadre at this stage does not arise, and the aforementioned <sup>rulings</sup> ~~rulings~~ are of no advantage to applicant.

5. The OA is dismissed. No costs.

A. V. vedavalli  
(DR. A. VEDAVALLI )  
MEMBER (J)

S. R. Adige  
( S. R. ADIGE )  
VICE CHAIRMAN (A)

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