

(15)

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

O.A. NO.1968/1999

New Delhi this the 13th day of February, 2001.

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN

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

1. Central Engineering Services Class I  
(DR) Association  
Rep. by its Addl. Secy  
101, South Wing Sewa Bhawan  
R.K. Puram  
New Delhi-66.
2. Umesh Bansal  
S/o Shri J.P.Bansal  
K-1, Indraprastha Apartments  
Patparganj, Delhi.
3. Ashwani Kumar  
S/o Late Shri Shiv Charan Sharma  
410-A, Sector 8, R.K. Puram  
New Delhi.
4. Sunil Sharma  
S/o Shri J.K. Sharma  
30 East Laxmi Market  
Delhi-110 092.
5. P.K. Dixit  
S/o Shri Har Swaroop Sharma  
H.No.424, Patel Nagar  
New Mandi  
Muzaffar Nagar
6. Mohammed Sagheer  
S/o Shri M.K. Usman  
C/o V.P. Joseph  
376-C, Pocket-II  
Mayur Vihar Phase I  
New Delhi.

....Applicants

( By Advocate Shri K.B.S.Rajan )

-versus-

1. Union of India through  
the Secretary  
Urban Affairs & Employment  
Nirman Bhavan, New Delhi-110 001.
  2. The Director General & Works  
CPWD, Nirman Bhawan  
New Delhi.
  3. The Secretary  
Department of Personnel & Training  
New Delhi-110001.
- De. J.

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4. The Chairman  
U.P.S.C.  
Dholpur House  
Shahjahan Road  
New Delhi-110011.
5. Shri B.M. Singhal  
S/o late Shri Jyoti Prashad  
R/o C-11/158, Yamuna Vihar  
Delhi
6. Shri S.K. Jain  
S/o Shri S.L. Jain  
R/o 4/1712 Mittal Sadan  
Bhola Nath Nagar  
New Delhi.

... Respondents

( Shri S.M.Arif, Advocate for Respondents  
1 to 4 and Shri Sohan Lal, Advocate  
for respondents 5 & 6 )

O R D E R (ORAL)

Justice Ashok Agarwal:-

MA No.1913/1999 for joining together in one OA  
is granted.

2. By the present OA, applicants impugn a Notification dated 6.7.1999 issued in exercise of the powers conferred by Rule 21 of the 1954 Rules whereby the respondents have diverted 430 posts falling under the Assistant Executive Engineers quota to the Assistant Engineers quota to be filled in under the aforesaid Rules. A challenge similar to the one raised in the present OA was also raised before the Chandigarh Bench of this Tribunal in OA No.935/CH/1999, Anand Singh Bisht & ors. v. Union of India and others, decided on 11.12.2000 and before the Principal Bench in OA No. 2134/1999, V.K. Jain v. Union of India & ors. decided on 6.1.2000. In both the aforesaid orders, the challenge was repelled and the OAs had been dismissed. We have perused the

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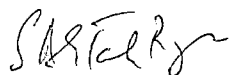
aforesaid judgements rendered both by the Chandigarh Bench as also by the Principal Bench. We find that

the present OA is covered by the aforesaid decisions. which are binding upon us.

The decision of the Principal Bench in the case of V.K.Jain (supra), we are informed, has been carried to the High Court and the same is pending consideration.

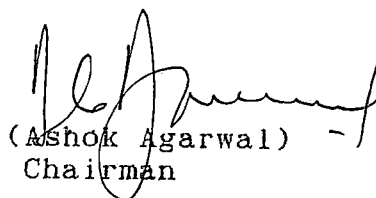
3. Present OA is accordingly dismissed.

4. In view of the dismissal of the OA, MA No.2208/1999 is also disposed of. No costs.



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

/sns/

  
(Ashok Agarwal) -  
Chairman