

(8)

CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH

D.A.No.446/99

New Delhi: Dated this the 24<sup>th</sup> DECEMBER 1999

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

HON'BLE MRS. LAKSHMI SWAMINATHAN, MEMBER (J)

Uday Partap Singh,  
S/o Shri Man Singh,  
Peon, Central Water Commission,  
Sewa Bhawan, R.K.Puram,  
New Delhi -66.

R/o  
RZF 905/14, Raj Nagar Part-II,  
Palam Colony,  
New Delhi -45

... Applicant.

(By Advocate: Shri K.L.Bhandula.)

Versus

Union of India  
through  
Secretary to the Govt. of India,  
Ministry of Water Resources,  
Shram Shakti Bhawan,  
New Delhi -1

2. The Chairman,  
Central Water Commission,  
Sewa Bhawan, R.K.Puram,  
New Delhi-66.

3. Secretary to the  
Govt. of India,  
Department of Personnel & A.R.,  
Ministry of Home Affairs,  
North Block,  
New Delhi.

..... Respondents.

(By Advocate: Shri Gajendra Giri).

ORDER

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

Applicant impugns respondents' order  
dated 23.7.98 (Annexure-I Colly.) and dated 26.2.98  
(Annexure-II Colly.) and seeks promotion/appointment as

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LDC, and a direction to respondents to prepare seniority list unitwise. Related reliefs are also sought.

2. Applicant who is a matriculate was initially appointed as Chowkidar in CWC, Hq. w.e.f. 1.8.78 and was transferred to the cadre of peon w.e.f. 2.4.84. He was promoted as LDC on adhoc basis from 3.12.87 to 6.2.90 and 14.3.90 to 8.3.91 when he was reverted to his substantive post of peon. The applicant's name features at Sl.No.15 of the combined seniority list.

3. As per DP & T's OM dated 16.9.80 (Ann. II) 5% of vacancies in the grade of LDC are filled up from amongst Group 'D' employees on the basis of seniority who fulfill the eligibility qualifications. For this purpose the seniority is determined for the cadre as a whole and not unitwise, and Group 'D' employees in lower grade of Peon/Messenger rank junior to Group 'D' employees in higher grade of Deftari etc.

4. Respondents have thus acted strictly in accordance with DP & T's OM dated 16.9.80 which is unexceptionable and applicant/will have to await his turn for regular promotion as LDC in 5% seniority quota. The OA is dismissed. No costs.

  
( MRS. LAKSHMI SWAMINATHAN )  
MEMBER(J)

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

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