

## Central Administrative Tribunal, Principal Bench

Original Application No. 1019 of 1999

New Delhi, this the 27th day of October, 2000

Hon'ble Mr. S. R. Adige, Vice Chairman(A)  
Hon'ble Mr. Kuldip Singh, Member (J)

1. Manohar Upreti s/o late Shri Darmanand Upreti  
R/o A-201, Mindo Road, New Delhi  
working at New Delhi

2. Bhikhari Dass S/o Shri Khacheru Ram  
R/o Block-O, 348, Kasturba Nagar, N. Delhi  
working at New Delhi

- Applicants

(By Advocate - None)

Versus

1. Union of India through  
the Secretary  
Ministry of Finance, North Block,  
New Delhi

2. Under Secretary to the Govt. of India,  
Ministry of Finance, Department of Revenue  
Central Economic Intelligence Bureau  
New Delhi

- Respondents

(By Advocate - None)

O R D E R (ORAL)By Hon'ble Mr. S. R. Adige, Vice Chairman(A)

1. Applicants impugn respondents' order dated 20.1.97 (Annexure A-5A) and order dated 24.2.99 (Annexure A-1). They seek a direction to respondents to appoint them as LDCs.

2. Respondents in their reply have stated that at the time when the applicants had appeared in the Limited Departmental Competitive Examination in 1993-94, they had not completed five years approved and continuous service as required by the Staff Selection Commission, they having been regularised w.e.f. 1.3.90 and hence, did not possess the eligibility criteria of five years of approved and

(11)

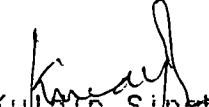
continuous service as group 'D' employees for promotion as LDCs. Respondents aver that this eligibility criteria is clearly to be construed as the service rendered as a regular group 'D' employee and not the continuous ad-hoc service rendered by him with or without a break. These specific averments of respondents have not been denied by applicants in the rejoinder filed by them.

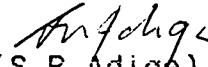
3. Under the circumstances, we see no good reason to interfere in this OA, which is accordingly dismissed. No costs.

  
(Kuldip Singh)  
Member (J)

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

Later Ms. Chandni Sharma appeared on behalf of Shri Gautam Awasthi, counsel for the applicants.

  
(Kuldip Singh)  
Member (J)

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

/dinesh/