

CNETRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

O.A. No.1405 of 1998

New Delhi this the 30th day of August, 2000

HON'BLE MR. KULDIP SINGH, MEMBER (J)  
HON'BLE MR. S.A.T. RIZVI, MEMBER (A)

1. MES 428030 K.D.Singh, Assistant Engineer, HQ, Western Command, Chandi Mandir.
2. MES 307325 Y.P.Gupta, HQ, C.W.E. Chandi Mandir.
3. MES 302738 G.D.Sood, Assistant Engineer, B&R.
4. MES 304827 D.P.Taneja, Assistant Executive Engineer E/M.
5. MES 415256, B.S.Randawa, Assistant Engineer E/M.
6. MES 304806 Kulbinden Singh, GE, AF, Halwara.
7. MES 306519 N.P.Agarwal, GE, AF, Halwara.
8. MES 306216 Bhagwan Lal Narang, GE, AF, Halwara.
9. MES 310297 T.L.Soman, AE, GE, Chandi Mandir.
10. MES 445124 R.P.Singh, AE, GE, AF, Chandigarh.
11. MES 210812 Fateh Singh, AE, HQ, CE, Bhatinda Zone.
12. MES 242897 PPS Saini, AE, GE, AF, Bhasina.
13. MES 436549 O.P.Bhatia, CSD CME, AF, Chandigarh.
14. MES 303778 R.K.Ghai, GE, AF, Chandigarh.
15. MES 302025 HPS Bhatia, C.E., Zonal Office, Chandigarh.
16. MES 304097 M.C.Gupta, CDS(I), Chandi Mandir.

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17. MES 445788 B.N.Singh, GE Chandi Mandir.
18. MES 122812 N.N.Yadav, GE, Bhatiala.
19. MES 304537 Arun Kumar Choda, GE, Kausuli.
20. MES 304179 Surjit Singh Grewal, GE, Kasuli.
21. MES 304383 Daya Nand, GE, Kasuli.
22. MES 304395 M.S.Devgan, GE, Patiala.
23. MES 312602 D.P.Jindal, GE, Patiala.
24. MES 304618 Inder Pal Singh, GE, Patiala.
25. MES 302359 H.C.Acharya, GE, Patiala.
26. MES 8464897 Amarjit Singh, GE, Sangrur.
27. MES 306979 Jaspal Singh, GE (N), Ambala.
28. MES 311830 Surjit Singh, GE, Ambala.
29. MES 304872 Dwarka Nath, GE (N), Ambala.
30. MES 232608 C.L.Sehgal, GE (N), Ambala.
31. MES 309203 Kanahiya Lal, GE (P), No.3, Hissar.
32. MES. 450230 D.P.Sachdeva, GE(P), No.3, Hissar.
33. MES 308340 R.K.Mehta, GE(P), No.2, Hissar.
34. MES 307826 Ishwar Singh, GE (P) No.1, Hissar.
35. MES 303117 K.S.Gill, GE(P), No.2, Hissar.
36. MES 305416 V.P.Salgotra, G.E.(P), No.3 Hissar.
37. MES 302567 Avtar Singh, HQ, C.W.E. Chandi Mandir.
38. MES 304422 R.L.Kalra H.C.W.E. Chandi Mandir.
39. MES 0901452 B.R.gupta, G.E. (P), Hissar No.1.

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40. MES 311049 I.P. Dhawan,, GE (P), No.2, Hissar.
  41. MES 305163 Baldev Kishan Bhambri, GE (AF), W.A.C. Jalandhar.
  42. MES 307207 Gian Singh (GE) AF, W.A.C. Jalandhar.
  43. MES 235013 S.K.Sharma, GE (East), Jalandhar.
  44. MES 306741 R.C.Nagpal, GE (East), Jalandhar.
  45. MES 304021 A.K.Gupta, GE (West), Jalandhar.
  46. MES 303921 GE (AF), Halwara.
  47. MES 306525 R.S.Rahi GE, Patiala.
  48. MES 306315 P.C.Paul, GE (AF), WAC, Jalandhar.
  49. MES B.B.Sharma, GE (East), Jalandhar.
  50. MES K.S.Sidhu GE (West), JRC.
  51. MES B.D.Goel, GE (West), Jalandhar.
  52. MES Mewa Singh, GE (AF), WAC, JRC.
  53. MES M.P.Puri, AGE (I), Lab JRC.
  54. MES 415030, M.K.Kuruvilla, S.T.E. Chandigarh.
  54. MES NO. 306822 H.D.SHARMA.
  56. MES NO. 303614 S.S.BHOGAL
  57. MES NO. 304980 SISUR KUMAR DASS VERMA A.E. G/M
  58. MES NO. 170109 RAVI KUMAR BATRA, A G E B/R
  59. MES NO. 430385 S.P.SHARMA A.G.E. B.R.
  60. MES NO. 311086 H.L.JAIN A.G.E. G/M
  61. MES NO. 307530 S.K.TALWAR A.E. E/M
  62. MES NO. 246168 JAGJIT SINGH A.E. E/M.
- for

63. MES No.304583 D.M. Bansal A.E.B/R ...Applicants  
(By Advocate: None)

Versus

1. Union of India through the  
Secretary, Min. of Defence,  
New Delhi.
2. Engineer-in-Chief, Army Headquarters  
Kashmir House,  
New Delhi-1. ...Respondents

(By Advocate: Shri V.S.R. Krishna)

ORDER(ORAL)

By Hon'ble Mr.Kuldip Singh,Member(J)

The applicants have prayed in this O.A. for  
the following reliefs:-

- (i) Direct the respondents to strictly follow the SRO 4E Rule i.e. IDSE Rule mentioned in Schedule-3, item No.6 to fill up the quota falling to the share of the applicants;
- (ii) Annexure A-7 to the extent it relate to the promotion to the post of Executive Engineers prescribing quota for Assistant Engineers and Assistant Executive Engineers at the ratio of 33-1/3% and 66-2/3% respective be set aside and a direction be issued to the respondents to prescribe just and fair ratio for promotion as has been done in the case of the Executive Engineers of the CPWD department. The respondents be further directed to fill up the quota falling to the share of applicants; and
- (iii) Direct the respondents to make a proper seniority list according to the rule and existing seniority rule be quashed."

2. None appeared for the applicant even on the second call. Shri V.S.R. Krishna, Counsel appeared for respondents and has been heard.

3. Counsel for respondents submitted that on

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17.3.98 this case was admitted for a limited question as per para 7 of the order which is reproduced hereunder:-

"However, we find that the second ground being agitated by the applicants that only AEs be promoted as EE till they attain their 1/3rd share is arguable. It would, therefore, be necessary to hear the version of the respondents on this point. We, accordingly, direct issue of notice to the respondents in respect of relief sought for in para 8.1 only. Reply to be filed within 4 weeks."

4. Shri Krishna, counsel for respondents submit that department is bound to obey the provisions of statutory recruitment rules. He states that the quota for promotion to the post of Executive Engineer from the post of Assistant Engineer and Assistant Executive Engineer has been prescribed in the Recruitment Rules and the department will adhere to the same. He further submitted that as far as further ratio between the Assistant Engineers and Assistant Executive Engineers for promotion to the post of Executive Engineer is concerned, that has also been prescribed in the Recruitment Rules and they will adhere to the same.

5. Noting the aforesaid submissions of Shri Krishna, this OA stands disposed of with the directions that the respondents shall <sup>abide by</sup> ~~stand~~ their statement. No costs.

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

*Kuldip Singh*  
(Kuldip Singh)  
Member(J)

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