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Central Administrative Tribunal
Principal Bench

O.A.No.545/98

Hon'ble Mr. Justice K.M.Agarwal, Chairman
Hon'ble Shri R.K.Ahooja, Member(A)

New Delhi, this the 11th day of March, 1998

Jagan Nath,
Son of Shri Moti Ram Sharma,
R/o T-10B Punjabi Basti,
Road No. 20, Baljeet Nagar,
New Delhi-110 008.

... Applicant

(By Advocate : U. Srivastava)

-Versus-

Union of India through

1. The Secretary,
Ministry of Health & Family Planning,
(Department of Health) Nirman Bhawan,
New Delhi.
2. The Perincipal & Medical Superintendent,
Lady Hardinge Medical College & Smt. S.K. Hospital,
New Delhi.
3. The Chief Administrative Officer,
Lady Hardinge Medical College & Smt. S.K. Hospital,
New Delhi.

... Respondents

O R D E R (Oral)

Hon'ble Mr. Justice K.M.Agarwal, Chairman

Heard the learned counsel on admission.

2. By this application, the applicant wants the impugned order dated 3.5.1996 to be quashed and thereafter to refix his seniority as claimed by him in the application.

3. It was pointed out that seniority list of Ward Orderlies was published in the year 1987 and thereafter in the year 1990. Although it was submitted that objection was raised in the year 1987, no document is shown to support the contention. It was also pointed out that first representation was made in the year 1994. If

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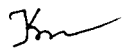
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representation was made but not decided within a reasonable time, the applicant ought to have come to this Tribunal within a period of 18 months. That has not been done. The seniority list which was finalized in 1990, cannot be reopened in the year 1998.

4. While dictation was going on, the learned counsel submitted that he is not in a position to understand what order is going to be passed against him by the Court. He also submits that by this application, he is not making a prayer for quashing the impugned order. He only wants proper placement of his name, i.e., the name of the applicant in the seniority list.

5. We are of the view that exactly the same point is under consideration in our dictated order aforesaid. We are helpless if the applicant or his counsel is not in a position to understand the order we are dictating.

6. We are of the view that after such a long delay the seniority list cannot be disturbed. The claim of the applicant for proper placement of his name in the seniority list cannot be entertained. Accordingly, the application is hereby summarily dismissed.


(K.M. AGARWAL)
CHAIRMAN


(R.K. AHOOIA)
MEMBER (A)

/rao/