

(6)

CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH.

O.A. No. 1697/95

New Delhi: this the 22nd day of September, 1999.

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

HON'BLE MR. KULDIP SINGH MEMBER (J)

1. Jai Parkash Singh
S/o Asa Hand
K.98 Subroto Park,
Civil Zone, New Delhi - 10

2. Sh. A. K. Bansal,
S/o Sh. K. K. Bansal,
C-127, East of Kailash,
NEW DELHI

3. Sh. M. R. Sundriyal
S/o Sh. Daudar Dass
E-20 Subroto Park,
Civil Zone, New Delhi - 10

4. Sh. Ashok Suri
S/o Satish Kr. Survi,
G. D. 170, Pitampura,
New Delhi - 34

5. Sh. Vinod Mehta
S/o Sh. Malakhraj,
E-94, Subroto Park,
Civil Zone, New Delhi - 10

6. Sh. I. D. Sharma,
S/o R. K. Sharma,
E-136, Mahipalpur Extn.
New Delhi - 37

7. Smt. Neelam Mitraja
W/o Sh. Yashpal Mitraja,
453, Old Rajinder Nagar,
New Delhi - 62

8. Sh. Rajinder Sardia,
S/o Sh. G. L. Sardia
E-22, Subroto Park,
New Delhi - 10

(By Advocate: Shri Surinder Singh)

Applicant

Verma

1. Union of India - through

The Defence Secretary,
South Block,
New Delhi - 11.

2. The Air Officer Incharge Personnel
Air Headquarters,
Wyn Bhawan,
New Delhi - 11

3. The Director, JIWC
Air Headquarters,
Wyn Bhawan,
New Delhi - 11

... Respondent

(By Advocate: Shri A. K. Bhardwaj). 2

(1)

ORDER

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

Applicant impugns the Recruitment Rules promulgated vide SRO No. 349 dated 12.11.86 (Annexure A3).

2. Heard.

3. As regards the grounds advanced, which are contained in para 5 of the OA, no rule or instruction has been cited requiring respondents to consult the Govt. employees before framing/ modifying the RRs or to give an option to them as to whether they would like to come under them or not. The fact that other organisations/ departments under Defence Ministry does not provide for the mode of examination for promotion to UDC also, does not make the RRs illegal or arbitrary. These impugned rules have been framed under Article 309 of the Constitution and it is nowhere stated that they will apply retrospectively.

4. The OA is dismissed. No costs.

Kuldeep
(KULDIP SINGH)
MEMBER(J)

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

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