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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 Gugh
S/o Anu Nand
K. 98 Subroto Park,
Civil Zone, New Delhi - 10

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

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

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

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

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

7. Smt. Neelam Motreja
W/o Sh. Mahipal Motreja,
#38, Old Rajinder Nagar,
New Delhi - 68

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

(By Advocate: Shri Surinder Singh)
Verma

Applicant

1. Union of India - through

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

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

3. The Director, JDFG
Air Headquarters,
Wyn Enayn,
New Delhi - 11

... Respondent

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

(3)

ORDER

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

Applicant impugns the Recruitment Rules promulgated vide SRD 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.


(KULDIP SINGH)
MEMBER (J)


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

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