

Central Administrative Tribunal, Principal Bench

O.A. No. 422 of 1995

New Delhi this the 4th day of October, 1999

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

Shri Kishan Singh Routela
S/o Shri Bhawan Singh
R/o RZ-9/207 Gali No.5,
Z. Block, West Sagarpur,
Delhi.

...Applicant

By Advocate: None.

Versus

1. Union of India.
Through its Secretary,
Ministry of Defence,
Sena Bhawan,
New Delhi.
2. Union of India through its
Secretary,
Ministry of Personnel, Pension and Public Grievbances,
North Block, New Delhi.
3. Director O.S. (Personnel)
Directorate General of Ordinance Services,
M.G.O. Branch,
Army Headquarter,
D.H.Q.,
New Delhi.
4. Commandant,
Central Ordinance Depot,
Delhi Cantt.-110010

...Respondents

By Advocate Shri S.M. Arif.

ORDER (ORAL)

By Hon'ble Mr. S.R. Adige, Vice Chairman(A)

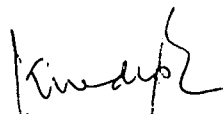
Applicant impugns respondents order dated 24.1.1994
(Annexure A) rejecting his claim for the benefit of past service
for refixation of seniority.

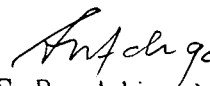
2. None appeared for the applicant when the case was called
out even on the second call. Shri S.Mohd. Arif appears for the
respondents and has been heard.

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3. Applicant himself admits that upon being discharged from the Army on account of T.B. he was appointed as LDC in 7 Garhwal Rifles w.e.f. 24.01.1976 after being allowed to count his 12 years combatant service for purposes of seniority. In November, 1976 he was posted to Rajput Regiment Centre, Fatehgarh. While serving in the Rajput Regiment Centre, respondents state that he applied for posting on extreme compassionate ground to A.G.'s Branch, Army Headquarter and keeping in view this request, he was posted to COD Delhi Cantt in November, 1978 and respondents have reckoned his seniority in Army Ordnance Corps w.e.f. 20.11.1978.

4. Applicant himself admits in para no.3 of his rejoinder that he was ~~transferred~~ ^{posted to} C.O.D. to Delhi at his own request on compassionate ground, and not in the public interest. Under the circumstances we see no infirmity in the impugned order dated 20.1.1994 determining his seniority in C.O.D. Delhi Cantt w.e.f. the date he joined duty there. This OA, therefore, does not warrant our judicial interference. It is dismissed. No costs.


(Kuldip Singh)
Member (J)


(S.R. Adige)
Vice Chairman