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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH
NEW DELHI

D.A. No. 566 of 1995

New Delhi, dated the 18th December, 1995

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

HON'BLE DR. A. VEDAVALLI, MEMBER (J)

Shri M.S. Mandhaiya,
S/o Shri Harphul Singh,
R/o 283/ DG-III,
Vikaspuri,
New Delhi-110018. APPLICANT
(By Advocate: Dr. D.C. Vohra)

VERSUS

Union of India through
the Foreign Secretary,
Ministry of External Affairs,
South Block,
New Delhi-110011. RESPONDENTS

(By Advocate: Shri N.S. Mehta)

ORDER (ORAL)

BY HON'BLE MR. S.R. ADIGE, MEMBER (A)

In this application Shri Mandhaiya, Section Officer, Ministry of External Affairs, New Delhi has prayed for a direction to so modify dated 28.6.84 the seniority list/of Section Officers in Grade II and III (Integrated) of IFS (B) as meets the mandate of the Rule 21(4) of the IFS (B) - RCSP Rules and for fixation of his seniority earlier to that of subsequent S.O's of IFS(B) together with all consequential benefits.

A

2. We have heard Dr. D.C. Vohra for the applicant and Shri N.S. Mehta for the respondents.

3. Dr. Vohra has invited our attention to the CAT, Principal Bench Judgment dated 3.6.94 in O.A. No. 201/94 M.S. Rao Vs. UOI, the operative portion of which reads as follows:

"..... it would be fit and proper to direct the respondents to recheck the dates of regular promotion as Section Officers of the applicants vis-a-vis the other promoted Assistants and it has to be ensured that May, 1987 seniority list of Assistants is correctly followed. It is needless to add that while doing this the guidelines given in the second case of Tandon vide order dated 12.2.1988 have to be scrupulously followed. Respondents are allowed a period of four months from the date of receipt of this order for implementing the above direction."

4. Dr. Vohra states that this judgment, fully covers the applicant's case and ~~Shri N.S. Mehta~~ Respondents' counsel very fairly does not object to the disposal of the present O.A. in terms of the directions quoted above.

5. Under the circumstances this O.A. is disposed of with a direction to the Respondents, to ~~apply~~ ^{1. extract abm} the directions contained in M.S. Rao's case (Supra) ^{2. in the matter in accordance with law} to the present applicant also, and take a final decision ^{3. in accordance with law} within a period of three months from the date of receipt of a copy of this judgment.

In the event that any person is likely to be adversely affected by the operation of this direction, he ^{should} be given a reasonable opportunity of being heard before a final decision is taken.

No costs.

A. Vedavalli

(DR. A. VEDAVALLI)
Member (J)

S. R. Adige
(S.R. ADIGE)
Member (A)

/GK/