

(2)

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No.1862/1996

New Delhi, this 3rd day of September, 1996

Hon'ble Shri A.V. Haridasan, VC(J)  
Hon'ble Shri R.K. Ahooja, Member(A)

Dalbir Singh  
H.No.37, Village Dichaon Kalan  
New Delhi-110 043

.. Applicant

(By Shri S.K. Das with Shri S.P. Balwada,  
Advocates)

Vs.

1. Chief Secretary  
Govt. of NCT of Delhi, Delhi-54
2. Development Commissioner  
Govt. of NCT of Delhi, Delhi-54
3. Dy. Development Commissioner  
Govt. of NCT of Delhi, Delhi-54

4. Shri Krishna Mathur
5. Shri Karam Vir
6. Shri Ashok Kumar
7. Shri Amar Singh Kardam
8. Shri Ombir Singh
9. Shri Prem Pal Singh,  
all working in the office of  
Development Commissioner,  
Delhi-54

.. Respondents

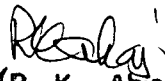
ORDER (oral)

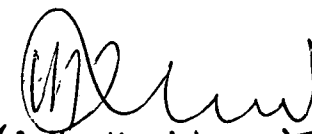
Hon'ble Shri A.V. Haridasan

The applicant who has been appointed on ad hoc basis in the absence of Recruitment Rules to the post of Senior Demonstrator with effect from 13.7.90 but later on regularised with effect from 1.8.94, is aggrieved by the fact that persons who have been promoted to that grade after he started ad hoc efficiation ~~after~~ <sup>on</sup> before 1.8.94 have been placed in the seniority list above him. Therefore, he has filed this application challenging the seniority list of Senior Demonstrator issued vide letter dated 9.5.95.

(3)

The applicant has no grievance that any person who has been regularly appointed to the post of Senior Demonstrator after 1.8.94 has been placed above him in the seniority list. His grievance is that persons who have been promoted as Senior Demonstrator after his ad hoc officiation in that post but regularised earlier have been shown above him in the seniority list. The grievance of the applicant is therefore against earlier regularisation of the promotees and the date from which he was regularised in his service. In that case he should have challenged the regularisation of promotees prior to him or the date on which he was regularised by order dated 9.2.95. Unless he does so, he can not claim seniority and seek setting aside of the order dated 9.5.95. Therefore, we do not find any reason to admit this application. The DA is therefore rejected under section 19(3) of the AT Act, 1985. However, we make it clear that rejection of this DA shall not in any way preclude the applicant from seeking appropriate relief from the respondents in accordance with the law.

  
(R.K. Ahooja)  
Member(A)

  
(A.V. Haridasan)  
Vice-Chairman(J)

/gtv/