

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI

O.A. NO. 1640/97

(2)

This the 23rd day of July, 1997.

HON'BLE SHRI JUSTICE K. M. AGARWAL, CHAIRMAN  
HON'BLE SHRI N. SAHU, MEMBER (A)

N. C. Jain S/O Chotelal Jain,  
R/O T-70/1, Air Force Station,  
Palam,  
New Delhi-110010.

... Applicant

(By Shri U. Srivastava with Shri M. K. Gaur, Advocate)

- Versus -

1. Union of India through the  
Secretary, Ministry of Defence,  
Government of India,  
New Delhi.
2. The Chief of the Air Staff,  
Air Headquarters (Vayu Bhawan),  
New Delhi.
3. The Air Officer Commanding,  
Air Force Station,  
Palam,  
New Delhi-110010.

... Respondents

O R D E R (ORAL)

Shri Justice K. M. Agarwal,

Heard the learned counsel for the applicant on  
admission.

The learned counsel submitted that the applicant  
was initially appointed as Civil Equipment Assistant.  
The post was re-designated as Lower Division Clerk.  
By this application he has made a prayer for  
re-fixation of his seniority from the date of his  
initial appointment and consequential amendment in the  
seniority list issued by the department. The learned  
counsel pointed out that a similar question was raised

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by one of the Lower Division Clerks in TA No. 43/1991. By order dated 15.2.1996, the application was allowed with a direction to the respondents to declare the petitioner's seniority with effect from 11.5.1961, that is, the date of his initial appointment. Similar relief has been claimed in the present application. We are, therefore, of the view that if the facts are identical, the relief granted by this Tribunal in TA No. 43/1991 decided on 15.2.1996 may also be made available to the applicant in the present case. Accordingly, we are of the view that this application may be disposed of at the admission stage itself by directing that if the facts are identical, the applicant shall also get the same relief as was given to the applicant in TA No. 43/1991 decided on 15.2.1996.

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Ordered accordingly.

*KM*  
( K. M. Agarwal )  
Chairman

/as/

*NS*  
( N. Sahu )  
Member (A)