

(85)

**In the Central Administrative Tribunal
Principal Bench: New Delhi**

1. OA No.1405/89

Date of decision:24.02.1993.

Shri K. Parameswaran Nair & Others ...Petitioners

Versus

Union of India through the
Regional Provident Fund
Commissioner, Kerala & Another ...Respondents

2. OA No.1408/89

Shri Joseph Verghese ...Petitioner

Versus

Union of India & Another ...Respondents

3. OA No.1595/87

Shri H.C. Bajaj ...Petitioner

Versus

Union of India & Another ...Respondents

4. OA No.1596/87

Smt. Usha Monga ...Petitioner

Versus

Union of India & Another ...Respondents

5. OA No.1599/88

Shri R.K. Thapar & Others ...Petitioners

Versus

Union of India & Another ...Respondents

6. T.A. No.43/87
(C.W.2172/85)

Shri Ashok Mehta & Others ...Petitioners

Versus

Union of India & Another ...Respondents

Coram:-

**The Hon'ble Mr. Justice V.S. Malimath, Chairman
The Hon'ble Mr. I.K. Rasgotra, Member (A)**

For the petitioners

None

For the respondents

Shri H.R. Gupta, Counsel
(in OA No.1599/88)

Judgement (Oral)
(Hon'ble Mr. Justice V.S. Malimath, Chairman)

In the light of the opinion rendered by the Full Bench in its judgement dated 5.2.1993 in these cases all these Original Applications are allowed and the following directions are issued:-

- i) The seniority list of Upper Division Clerks of the Delhi Region and the Kerala Region as on 31.12.1984 shall be recast, following the principles laid down by the Full Bench.
- ii) A provisional seniority list shall first be prepared within a period of three months from the date of receipt of the judgement and circulated to all persons likely to be affected by the same, inviting objections giving them reasonable period of not less than one month for that purpose.
- iii) After considering the objections received to the provisional seniority list contemplated by the aforesaid directions a final seniority list as on 31.12.1984 of the Upper Division Clerks of the Delhi Region and the Kerala Region shall be prepared and published with utmost expedition.
- iv) In the light of the final seniority list prepared following the aforesaid directions review of promotion shall be undertaken with utmost expedition.

v) Consequential monetary benefits flowing from the review of promotion shall be restricted to the period from the date of pronouncement of the opinion of the Full Bench on 5.2.1993, having regard to the fact that there was uncertainty in regard to the correct principles to be followed in the matter of preparation of seniority list. No costs.

2. Let a copy of this order be placed in all the case files listed together.

(I.K. Rasgotra)
Member (A)

(V.S. Malimath)
Chairman

Central Administrative Tribunal

Principal Bench, Patna
Patna Bench

After considering the objections received to the proposed seniority list submitted by the concerned officers, the Hon'ble Members of the Tribunal have considered the matter and have decided to uphold the seniority list as proposed and published with effect from 1.1.1994.

The Hon'ble Members of the Tribunal have also decided to award costs to the officers who have been successful in their appeal.