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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI

U.A. NO. 60/89

New Delhi this 8th Day of February 1994

THE HON'BLE MR. J.P. SHARMA, MEMBER (J)

THE HON'BLE MR. B.K. SINGH, MEMBER (A)

Shri S.P. Pipal,  
Son of late Shri Jewan Ram,  
DDA Flat No. 90-A (MIG),  
Rajouri Garden,  
New Delhi-110 027.

... Applicant

(By Advocate Shri P.T.S. Murty)

Versus

1. Union of India,  
Through the Secretary to the Govt. of India,  
Ministry of Labour,  
Sharm Shakti Bhawan,  
Rafi Marg, New Delhi.
2. The Chief Labour Commissioner,  
(Central),  
Sharam Shakti Bhawan,  
Rafi Marg,  
New Delhi.
3. Shri D.M. Dhiwal,  
Regional Labour Commissioner (C),  
Shastri Bhawan, Nungambakkam,  
Madras-600 016. ... Respondents

(By Advocate Shri P.P. Khurana)

O R D E R

HON'BLE MR. J.P. SHARMA, MEMBER (J)

The applicant joined as Labour Enforcement Officer (Central) in September 1968. He was appointed as Assistant Labour Commissioner (Central) By the order dated September, 1981. He has the grievance that the name of the respondent No. 3 Shri D.M. Dhiwal was shown junior to him in the seniority list of Assistant Labour Commissioner as on 1.1.1986. In the beginning of 1987 Central Labour Services was constituted and the seniority

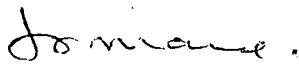
list had been determined by Rule 9 of the Central Labour Service Rules 1986 which inter-alia provides that the inter se seniority of the officers appointed to various grades of the service, at the initial constitution stage shall be determined according to the length of the continuous service in the grade subject to continuance of inter se seniority of the officers in their respective grade prior to constitution of service.

2. The applicant claims seniority over respondent no. 3 on the basis that the applicant was appointed as Assistant Labour Commissioner on 21.11.1981 while the respondent no. 3 was appointed on 12.2.1982.

3. We heard the learned counsel for the parties at length. The learned counsel for the applicant, however, made a statement at the bar that he doesn't want to press this application and may be allowed to reserve the right to assail any further grievance according to law.

The application, therefore, is dismissed as withdrawn leaving the parties to bear their own costs.

  
(B.K. Singh)  
Member(A)

  
(J.P. Sharma)  
Member(J)

\*Mittal\*