

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

OA.No.1727 of 1988 .

New Delhi this the 25 January 1994

Shri C.J. ROY, Hon. Member(Judicial)

Shri P.T. THIRUVENGADAM, Hon. Member(Admn.)

(i) A.K. Sood,
S/o Late Shri D.D. Sood,
Aged about 35 years

(ii) A.K. Puri,
S/o Shri H.L. Puri,
Aged about 34 years

Office Address:-

Both working as Assistants in the office
of C.P.F.C. 9th Floor, Mayur Bhawan,
New Delhi.

Address for Service:-

C/o Shri Naresh Kaushik,
Advocate,
103, Lawyers Chamber,
Supreme Court, New Delhi

Applicants

versus

Union of India through

- (i) The Secretary,
Ministry of Labour,
Shram Bhawan,
New Delhi.
- (ii) Central Provident Fund Commissioner,
9th Floor, Mayur Bhawan, New Delhi.
- (iii) Shri Jai Kishan.
- (iv) Shri Bhagat Singh.
- (v) Shri Rajinder Kumar Kohli

All working as Assistants in the office of
C.P.F.C. 9th Floor, Mayur Bhawan, New Delhi.

By Advocate Shri K.C. Sharma.

O R D E R (Oral)

(delivered by Hon. Member(J) Shri C.J. ROY)

This OA has been filed under Section 19 of the Administrative Tribunal's Act, 1985 claiming the relief that this Tribunal may direct the respondents No.1 and 2 to determine the seniority of the petitioners and other UDCs in their office on the principal of continuous length of service, following

the judgements of Hyderabad and Chandigarh Bench of the Central Administrative Tribunal and of the Hon. Supreme Court in this connection.

2. When the case was taken up for hearing today, neither the applicant nor his counsel has put up appearance. This case has already been adjourned twice earlier for the presence of the applicant. This is an old matter coming peremptorily for final hearing and therefore, we proceed to dispose of this OA on the basis of the submissions made by the learned counsel for the respondents and on the basis of materials available on record.

2. The facts of the case are that the applicants are working as UDCs with the respondents. The counsel for the respondents refers us to the additional affidavit filed by him on 11.1.94 along with the larger Bench judgement rendered by the Principal Bench on 5.2.93 and also the seniority list issued consequent upon the judgement and following the guidelines laid down in the said case. We do not feel it necessary to go into this aspect again since the Full Bench judgement has already considered this aspect in accordance with rules. As the seniority list has been prepared following the guidelines laid down in the above case, we do not propose to go into the details of the OA also. Along with the affidavit, the seniority list as on 31.12.91 has also been circulated and Shri A.K. Sood, who is the first applicant gets the position at Sl.No.75 and Shri A.K. Puri, the second applicant gets the position at

Sl.No.104 and also ~~they are~~ ^{are} given seniority placings of the three respondents S/Shri Jai singh Goel, Bhagat Singh and R.K. Kohli.

3. In the conspectus of the above facts and circumstances of the case, we feel that there is nothing for us to decide in the matter and hence dispose of the OA with no order as to costs.

4. If the applicants are aggrieved with the above seniority list, they are given liberty to file a fresh application.

P. J. 28

(P.T. Thiruvengadam)

Member(A)

25.1.94

(C.J. Roy)

Member(J)

25.1.94

kam.