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Central Administrative Tribunal
Principal Bench, New Delhi

Regn. Nos. OA-1231/88
OA-1552/88
OA-1643/88
OA-1870/88 &
OA-1847/88

Date: 27.10.1988

Shri Ram Sunder Singh } Applicants
Shri Jyoti Prasad Sharma }
Shri Ram Parvesh Ram }
Shri S.S. Sirohi & }
Shri Naunihal Singh }

Versus

Union of India & Another Respondents
For the Applicants Shri S.C. Luthra, Advocate.
For the Respondents Shri P.P. Khurana, Advocate.

CORAM: Hon'ble Shri P.K. Kartha, Vice-Chairman(Judl.)
Hon'ble Shri P. Srinivasan, Administrative Member.

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not?

(Judgement of the Bench delivered by Hon'ble
Shri P. Srinivasan, Administrative Member)

All these five applicants, who were earlier working in Police department on different posts in different States, were taken on deputation in the Intelligence Bureau in different posts. Their complaint is that the seniority in the posts held by them in the I.B. has not been rightly fixed.

2. Shri S.C. Luthra, learned counsel for the applicant, and Shri P.P. Khurana, Counsel for the respondents, have been heard.

3. Shri Luthra submits that the seniority of all these persons should have been fixed on the principles laid down by this Tribunal in Baldev Singh and Others Vs. Union of India and others in T-840 of 1985 decided on 13.1.1988.


P. Srinivasan


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4. Shri Khurana submits that in all these cases the seniority of the applicants has indeed been fixed following the decision in Baldev Singh's case. Shri Luthra submits that on the basis of this seniority, the applicant should get all the consequential benefits by way of promotion etc.

5. We find that in Baldev Singh's case, while directing re-fixation of the seniority of the applicants therein, this Tribunal also directed that "they shall be eligible for being considered for further promotion on the said basis." The judgement in Baldev Singh's case was followed by this Tribunal in G.M. Nimbalkar Vs. Union of India and Others in OA-353/88 decided on 6.7.1988. In that case also, a direction was issued that after determining the revised seniority of the applicants, their cases for promotion should be considered on the basis of their revised seniority. Following these decisions, we direct the respondents to consider the cases of the applicants for further promotion on the basis of the revised seniority already accorded to them in terms of the decision in Baldev Singh's case. This should be done as early as possible but in any case not later than three months from the date of receipt of this order.

6. The applications are disposed of on the above terms. No order as to costs. A copy of this judgement may be placed in all the files.


(P. Srinivasan)
Administrative Member


27/10/88
(P.K. Kartha)
Vice-Chairman(Judl.)