

(13)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A. No. 948-A/88

Dated: 6.10.1993

Jaswant Singh

Applicant

vs.

Union of India & Ors.

Respondents.

None for the Applicant

Shri M.L. Verma counsel for the respondents.

CORAM

1. Hon'ble Mr. J.P. Sharma, Member (J)
2. Hon'ble Mr. B.K. Singh, Member (A)

JUDGMENT (ORAL)

{ Delivered by Hon'ble Mr. J.P. Sharma, Member (A)

The applicant has a grievance of non-allotment of the year 1970 for the purpose of seniority in IPS cadre as he has been allotted the year of 1978 by the impugned order dated 29.10.1986 (annexure 1). The application was admitted and notice was issued to the respondents. The respondents contested the application. The respondents have taken a plea that in view of the order of the Hon'ble Supreme Court in the case of D.D. Suri Vs. Union of India reported in AIR 1974 SC page 1595 where it has been held that the decision of Government of India assigning any year of allotment to a particular officer under Rule 3 of Indian Administrative Service (Regulation of Seniority Rules), 1954, is final and cannot be interfered by the Courts under Art. 226 of the Constitution of India. The respondents have also taken a

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plea that the application is barred by limitation as the applicant was assigned 1978 as the year of allotment by the impugned order of 30.10.86 while the application was filed in June 1986.

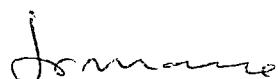
2. Shri M.L. Verma appeared for the respondents. None appeared for the applicant. This is an old matter. On 22nd September also the applicant did not appear and the matter was adjourned for today.

3. Another fact is that the applicant at the time of filing this application was 53 years old in the month of May and he must have retired on superannuation. It therefore seems that the applicant has lost interest in the case.

The application is therefore dismissed for non-prosecution and also for default.

No costs.


(B.K. Singh)
Member (A)


(J.P. Sharma) 6.10.93
Member (J)

V.P.C
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