

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW DELHI

O.A. No. 580
T.A. No.

198 8.

DATE OF DECISION April 12,1988.

Shri N.Sreedhar

Petitioner

In person.

Advocate for the Petitioner(s)

Versus

Union of India & Ors

Respondent s.

Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. Justice K.Madhava Reddy, Chairman.

The Hon'ble Mr. Kaushal Kumar.

1. Whether Reporters of local papers may be allowed to see the Judgement ? *Yes*
2. To be referred to the Reporter or not ? *No.*
3. Whether their Lordships wish to see the fair copy of the Judgement ? *No*
4. Whether to be circulated to other Benches? *No*


(Kaushal Kumar)
Member

12.4.1988.


(K.Madhava Reddy)
Chairman.

12.4.1988.

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CENTRAL ADMINISTRATIVE TRIBUNAL
(PRINCIPAL BENCH)
DELHI.

REGN. NO. OA 580/1988 .

April 12,1988.

Shri N.Sreedhar ... Applicant.
Vs.
Union of India & Others ... Respondents.

CORAM:

Hon'ble Mr. Justice K.Madhava Reddy, Chairman.

Hon'ble Mr. Kaushal Kumar, Member.

For the applicant ... Applicant in person.

(Judgment of the Bench delivered by Hon'ble
Mr. Justice K.Madhava Reddy, Chairman).

The applicant is an Assistant in the Armed Forces Headquarters Civil Service. In the seniority list of Assistants of AFHQ Civil Service issued on 8.5.1987 pursuant to the judgment of the Supreme Court dated 17.2.1987, his name is shown at Sl. No.1638. In this application under Section 19 of the Administrative Tribunals Act,1985, the applicant claims that since he has been continuously officiating in the next higher post of Assistant Civilian Staff Officer since 14.10.1982(AN) and he still continues to hold that post, he should not have been shown in the seniority list of Assistants at all. His further claim is that his name should have been shown in the seniority list of ACSOs with effect from the date of his first appointment on officiating basis. So far as the first claim of the applicant is concerned, admittedly he holds a lien on the post of Assistant.

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If a seniority list of Assistants has to be prepared, all persons who hold a lien on the post of Assistants have to be shown in that seniority list. The applicant does not dispute that if his name has to be included in the seniority list of Assistants, his place would be at Sl.No.1638. The applicant can have no grievance so long as his name appears in that seniority list at the appropriate place. In our view, so long as he holds a lien on the post of an Assistant, his name would have to be shown in the seniority list of Assistants.

As regards his claim that his name should be shown in the seniority list of ACSOs, the applicant himself states that no such seniority list has been prepared so far. Any grievance that his name should be shown in such a list is premature. Even assuming that there should be a direction to prepare such a list, unless he is appointed regularly to the post of ACSO, obviously he cannot be shown in the seniority list of ACSOs. It is one thing to say that in view of his continuous officiation, he should get the benefit of seniority and it is totally a different thing to say that even while officiating as ACSO, his name should be shown in the seniority list of ACSOs. In any event, the grievance of the applicant in this regard is premature.

This application, therefore, fails and is



accordingly dismissed. Nothing said herein will stand in the way of the applicant challenging the seniority list of ACSOs as and when it is prepared.



(Kaushal Kumar)
Member

12.4.1988.



(K. Madhava Reddy)
Chairman

12.4.1988.