In the Central Administrative Tribunal
Principal Bench: New Delhi

1. OA No.1793/87 Date of decision: 11.11.1992.

Shri K.M.R. Pillai ...Petitioner

Versus

Union of India through Secretary, Ministry of Labour, Sharam Shakti Bhavan, Rafi Marg, New Delhi & others. ...Respondents

2. OA 1229/87

Shri J. Venketaraman ...Petitioner

Versus

Union of India & Others ...Respondents

3. OA 1438/87

Bhola Nath Chatterjee ...Petitioner

Versus

Union of India & Others ...Respondents

4. OA 1726/87

Kanahaiya Lal Khushwaha ...Petitioner

Versus

Union of India & Others ...Respondents

5. OA 1791/87

S.N. Mukerjee ...Petitioner

Versus

Union of India & Others ...Respondents

6. OA 1792/87

Mohan Lal ...Petitioner

Versus

Union of India & Others

7. OA 1794/87

P. Raghwan ...Petitioner

Versus

Union of India & Others ...Respondents

8. OA 1795/87

Govind Ram ...Petitioner

Versus

Union of India & Others ...Respondents

contd....2..

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9. OA 1796/87

L.R. Wagle ...Petitioner

Versus

Union of India & Others ...Respondents

10. OA 921/88

H.S. Suhjani ...Petitioner

Versus

Union of India & Others ...Respondents

11. OA 922/88

S.B. Singh ...Petitioner

Versus

Union of India & Others ...Respondents

12. OA 923/88

A. Banerjee ...Petitioner

Versus

Union of India & Others ...Respondents

13. OA 924/88

Gopal Ji ...Petitioner

Versus

Union of India & Others ...Respondents

14. OA 1180/89

Suraj Ram ...Petitioner

Versus

Union of India & Others ...Respondents

15. OA 1181/89

S.B. Choudhary ...Petitioner

Versus

Union of India & Others ...Respondents

16. OA 1182/89

A.K. Choudhary ...Petitioner

Versus

Union of India & Others ...Respondents

Coram:-

The Hon'ble Mr. Justice V.S. Malimath, Chairman
The Hon'ble Mr. I.K. Rasgotra, Member (A)

...3..

For the petitioners Shri P.T.S. Murthy, Counsel.

For the respondents Shri V.S.R. Krishna, proxy counsel for Shri M.L. Verma, Counsel.

Judgement(Oral)
(Hon'ble Mr. Justice V.S. Malimath, Chairman)

All these cases are fully covered by the judgement which we rendered on 09.11.1992 in OA No.920/87 and connected cases. It, therefore, follows that the same directions, as we have issued in that batch of cases, should be issued in these cases as well.

2. Following the decision rendered in OA No.920/87 and connected cases dated 09.11.1992 between Shri Vyas Rai Vs. Union of India & Others we dispose of these cases with the following directions:-

i) The respondents shall ascertain the vacancies on year-wise basis upto the date of coming into force of the 1984 rules.

ii) After ascertaining the vacancies in that manner occurring upto the date of coming into force of the 1984 rules the said vacancies shall be filled up in accordance with the 1958 rules.

iii) The cases of the petitioners who are within the zone of consideration should be considered for that purpose. If on consideration

of their cases in accordance with the 1958 rules they are entitled to be promoted on a regular basis in vacancies occurring before the coming into force of the 1984 rules, they shall be given deemed dates of promotion and all consequential benefits flowing from such action.

iv) So far as the vacancies occurring after the 1984 rules are concerned, the respondents shall take steps to fill up the vacancies in accordance with the 1984 rules. Such of the petitioners who do not get regular promotion in accordance with the 1958 rules and have continued in service, their cases shall be considered, if they come within the zone of consideration in accordance with the 1984 rules and if they are found fit and suitable, they shall be given deemed date(s) of promotion and consequential benefits flowing therefrom.

v) Having regard to the circumstances and the fact that the petitioners have continued to remain on ad hoc basis all these years we consider it appropriate to direct that none of the petitioners shall be reverted until action is taken as aforesaid.

3. With these directions all these Applications stand disposed of. No costs.

4. Let a copy of this judgement be placed in the case file of all the Applications, listed together.

(I.K. RASGOTRA)
MEMBER(A)

(V.S. MALIMATH)
CHAIRMAN

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Court Officer
Central Administrative Tribunal
Principal Bench, New Delhi
Faridkot House,
Copernicus Marg,
New Delhi