

(9)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW DELHI

O.A. No. 699 1986
T.A. No.

DATE OF DECISION 7.6.88

Shri Krishan Lal & another **Petitioners**

Shri N.L.Duggal, **Advocate for the Petitioner(s)**

Versus

Union of India & another **Respondents**

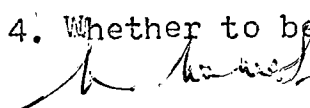
Shri P.H.Ramchandani, **Advocate for the Respondent(s)**

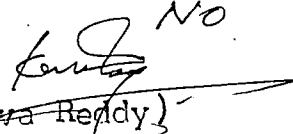
CORAM :

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

The Hon'ble Mr. Kaushal Kumar, Member.

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 all the Benches ? NO


(Kaushal Kumar)
Member


(K. Madhava Reddy)
Chairman

7.6.88.

(a)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI.

REGN. NO. CA 699/86

Dated: 7.6.1988

Shri Krishan Lal & another ----- Applicants

Vs.

Union of India & another ----- Respondents

Coram: Hon'ble Mr. Justice K. Madhava Reddy, Chairman
Hon'ble Mr. Kaushal Kumar, Member

For the Applicants ----- Shri N.L.Duggal, Counsel

For the Respondents ----- Shri P.H.Ramchandani,
Sr.Counsel.

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

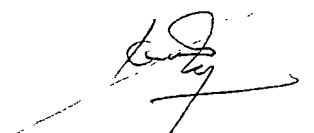
This application was initially filed by two persons namely Krishan Lal and B.S.Gupta. The first applicant has since withdrawn vide his letter dated 21.11.87 stating that he does not wish to pursue the case and it may be treated as withdrawn so far as he was concerned. Accordingly the application is dismissed as withdrawn so far as the first applicant is concerned. This application survives in respect of the second applicant B.S.Gupta only. Shri Gupta is an Assistant Superintendent (IS) in the National Sample Survey Organisation under the department of Statistics. He calls in question the Seniority List issued on 24.8.83 after disposing off the objections raised in regard to the Provisional Combined Seniority.

2. From 1967 to 1974, the recruitment to the posts of Assistant Superintendent was made State-wise for each of the three categories namely, Assistant Superintendents

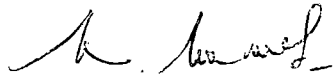
Sanjay

(Agricultural Statistics), Assistant Superintendents (Socio-Economic) and Assistant Superintendents (Industrial Statistics). From 5.1.74 onwards for the purposes of further promotion to the post of Superintendent a Provisional All India Combined Seniority List of all the three categories of Assistant Superintendents was drawn and objections were invited. In the Provisional List the applicant B.S.Gupta was shown at Sl.No.275. After considering the objections raised by the applicant and several others, the applicant was shifted and placed between Shri N.Ramaswamy at Sl.No.293 and Shri A.S.Prasad at Sl.No.294. Although the applicant in his application has claimed that the entire Seniority List be quashed, at the hearing of this application Shri N.L.Duggal, learned counsel for the applicant stated that he would not press that claim and that the applicant would be satisfied if he is restored to the position he was shown in the Provisional Seniority List i.e. at Sl.No.275. Instructed by Shri A.S.Karmalkar, Administrative Officer, Shri P.H.Ramchandani, learned counsel for the Respondents states that without going into the merits, this claim of the applicant is conceded. The applicant, therefore, shall be restored to the position he was given in the Provisional Seniority List, that is, he will be shown at Sl.No.275.

3. This application is accordingly allowed to the limited extent indicated above. In the circumstances,



there shall be no order as to costs.



(KAUSHAL KUMAR)
MEMBER



(K. MADHAVA REDDY)
CHAIRMAN

7.6.1988