

(10)

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

Kanhaiya 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

9. OA 1796/87

Learned Counsel for the Petitioner  
Learned Counsel for the Respondents  
Learned Counsel for the Union of India & Others  
...Petitioner  
...Respondents

10.0A 921/88

.....Petitioner  
.....H.S. Suhjanji, Advocate and Venugopal, Advocate

...Union of India & Others ...Respondents

11.OA 922/88 S.B. Singh ...Petitioner

before the trial court. Union of India & Others, the other Respondents

RECEIVED IN F 12:0A 923/88 FOR PETITIONER FOR ATTORNEY GENERAL

**Versus**

AO at Berhampur Petitioner v. Union of India & Others ... Respondents

9901.11.80 13. OA 924/88 Dated 19/10/1980  
Petitioner  
Gopal Ji Patel Versus Respondents  
H. C. & Others

14.OA 1180/89

Union of India & Others ... Respondents

15-0A 1181/89

**S.B. Choudhary** ...Petitioner

**versus**

**Union of Indian & Others** ... Respondent

16.OA 1182/89

A.K. Choudhary ...Petitioner

**Coram:**—Mr. Justice Oliver and Mr. Justice

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

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 and on or 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 one 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.

*Self*  
(I.K. RASGOTRA)  
MEMBER (A)

*Self*  
(V.S. MALIMATH)  
CHAIRMAN

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*Accepted*  
Court Officer  
Central Administrative Tribunal  
Principal Bench, New Delhi  
Faridkot House,  
Coperinus Marg, P.O. 100001  
New Delhi-110001