

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI.

REGN. NO. O.A. 176/87.

DATE OF DECISION: 09.11.1992.

R.D.S.O. Class II Officers' Assn. ... Petitioners
and Ors.

Versus

Union of India & Another. ... Respondents.

CORAM:

THE HON'BLE MR. JUSTICE V.S. MALIMATH, CHAIRMAN.
THE HON'BLE MR. I.K. RASGOTRA, MEMBER(A).

For the petitioners. None.

For the respondents. Shri A.K. Behra, proxy for Shri
P.H. Ramchandani, Sr. Counsel.

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JUDGEMENT (ORAL)

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

None appears for the petitioners. Shri A.K. Behra, Counsel, appears for the respondents. The petitioners have made four prayers. The first is for a direction to fill up 20% of the vacancies in Junior Administrative Grade by promoting the eligible RDSO Cadre Class-I Senior Scale Officers. The first petitioner which is the R.D.S.O. Class II Officers' Association and some of the officials belonging to that cadre have no right to make such a grievance. So far as petitioners 2 to 5 are concerned, no particulars about them have been furnished. The petitioners cannot be regarded as aggrieved to justify entertaining this claim. Besides, merely because there are vacancies, it is not always obligatory that these should be filled. Hence, we are not inclined to give the first relief. So far as the reliefs 2 and 3, as prayed for, are concerned, they are basically claiming seniority from the date of ad hoc appointment and

not from the date of regularisation of the services as has been taken. The petitioners have not placed any particulars in regard to the persons who were appointed on an ad hoc basis, the dates of their ad hoc appointment, how long they were continued on ad hoc basis and the period for which the appointment was actually made. In the absence of satisfactory material, it is not possible to grant relief No. 2 and 3. So far as the appointment of Sasrvashri P. Ramakrishnan, A.N. Tandon, M.K. Gautam, Pankaj Gupta and V. Johri is concerned, none of them is impleaded as party. Without the affected persons being arrayed as parties to these proceedings, we will not be justified in examining the validity of appointment of those officers. Hence, no relief can be granted.

2. For the reasons stated above, this petition fails and is accordingly dismissed. No costs.

Subhash
(I.K. RASGOTRA)

MEMBER(A)

Malimath
(V.S. MALIMATH)
CHAIRMAN

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