

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

NEW DELHI

O.A. No. OA 393/1987
T.A. No.

199

DATE OF DECISION 19.01.1993Shri Amrik Singh~~Petitioner~~ ApplicantShri R.K. KapoorAdvocate for the ~~Petitioner(s)~~ Applicant

Versus

U.O.I. & Another

Respondent

Shri N.S. Mehta

Advocate for the Respondent(s)

CORAM

The Hon'ble Mr. P.K. KARTHA, VICE CHAIRMAN(J)

The Hon'ble Mr. B.N. DHOUNDIYAL, ADMINISTRATIVE 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 it needs to be circulated to other Benches of the Tribunal? *No*

JUDGMENT (ORAL)

(of the Bench delivered by Hon'ble Shri P.K. Kartha,
Vice Chairman(J))

We have heard the learned counsel of both parties and have gone through the records of the case carefully. The applicant has worked as an IAS Officer from 1977 to 31.10.1990 when he retired from service on attaining the age of superannuation. In this application he has prayed, inter alia, that the decision taken by the Central Government conveyed to him by Memo dated 5.3.1987 proposing to revert him from IAS to the State Civil Service

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be set aside and quashed.

2. The learned counsel for the respondents, Shri N.S. Mehta, has submitted before us that pursuant to the interim order passed by the Tribunal on 16.04.1987, the applicant was not reverted from the Indian Administrative Service to the State Civil Service as per the Memo dated 5.3.1987. This interim order was made until further orders on 30.04.1987.

3. As the applicant has already retired from service on attaining the age of superannuation, his prayer insofar as it relates to his proposed reversion from IAS to State Cadre has become infructuous. In fact the applicant had continued as an IAS officer till he retired from Govt. service. In our opinion, the applicant would be entitled to all the benefits of such officiation pursuant to the stay order passed by the Tribunal.

4. During the hearing of the case, we have been informed that the applicant had filed another OA in the Tribunal challenging the penalty imposed on him in a disciplinary case. We make it clear that nothing stated herein would prejudice the respective contentions of both parties in the said case.

5. The application is disposed of accordingly. There will be no order as to costs.

B. N. Dholndiyal
(B.N. DHOLNDIYAL)
MEMBER (A)
19.01.1993

P. K. Kartha
(P.K. KARTHA)
VICE CHAIRMAN (J)
19.01.1993