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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH,
NEW DELHI.

Registration D.A. No. 972 of 1987

Shri Jagdish Ram Applicant.

Versus

The Union of India
and others Respondents.

Hon. Mr. Justice U.C. Srivastava, V.C.
Hon'ble Ms. Usha Savara, Member (n)

(By Hon. Mr. Justice U.C. Srivastava, V.C.)

The applicant was appointed as Temporary Foot Constable on 25.2.1948 in Delhi Armed Police and confirmed as Time Scale w.e.f. 8.5.1952. He was transferred from Executive Cadre to Mounted Wing w.e.f. 16.1.1961. In the year 1969, he was injured while on duty, in connection with student agitation. He was advised by the Medical Authority to use sun glasses till the complete recovery of injured eye. Since he was unable to perform duties in the Mounted Wing, D.P.C./Lines transferred him to general duty vide order dated 27.2.1970. He was again transferred to Mounted wing after recovery w.e.f. 14.9.1970. He was also promoted as H.C. (mounted) w.e.f. 25.8.1985, on purely temporary and adhoc basis along with his counter parts after taking into account his seniority w.e.f. 17.9.1970 i.e. the date of his regular posting in the Mounted wing in Delhi Police. The applicant made a representation for giving him seniority by counting his previous service from 16.1.1961 to 27.2.1970 in the Mounted wing. His representation was accepted and he was given his due seniority after giving benefit of service in Mounted wing from 16.1.1961 to 27.2.1970 during which he remained out of mounted wing as per his entitlement.

The applicant again represented for his seniority w.e.f. 11.8.1983 instead of 29.6.1985. The applicant in his representation requested to give him seniority from 1983 from which his juniors, Chander Singh, Manohar Lal and Amir Singh were promoted. The applicant was informed vide order dated 25.6.1985 that he stands senior to ^{Sri} Chander Singh, Manohar Lal and Amir Singh as per his original seniority. Sri Chander Singh was promoted w.e.f. 11.8.1983 and Sri Manohar Lal and Amir Singh were promoted w.e.f. 12.8.1984 on purely temporarily and adhoc basis before the acceptance of the representation of the applicant and the applicant was also promoted w.e.f. 29.8.1985 in the same capacity, though his seniority stands at his original place i.e. above all these persons. He was not entitled to perform ~~as~~ promoted w.e.f. 11.8.1983 as adhoc promotion is not a regular promotion. This adhoc promotion is only till the regular promotions are made. The applicant has got all these benefits because after receipt of the representations, it ~~was~~ came to the knowledge of the authorities that he was being wrongly deprived from his seniority and promotion.

2. Accordingly, this application is allowed and the respondents are directed to give adhoc promotion to the applicant w.e.f. his next junior was promoted i.e. from the year 1983 notionally but actually from the date he has been promoted i.e. the year 1985. The application is disposed of with the above terms. No order as to the costs.

b. Lawrence
Member(s)

Dated: 21.12.1992
(n.u.)

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Vice-Chairman