

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL NEW DELHI

O.A. No. 1043/90
T.A. No.

199

DATE OF DECISION 17.9.1990.

Shri Pyare Lal	Petitioner
Shri K.L. ^P Bandula	Advocate for the Petitioner(s)
Versus	
Union of India & Others	Respondents
Shri V.S.R. Krishna	Advocate for the Respondent(s)
(Proxy Counsel for Shri M.L.Verma)	

CORAM

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

The Hon'ble Mr. D.K. CHAKRAVORTY, MEMBER(A)

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

JUDGEMENT

(Of ~~the~~ Bench delivered by Hon'ble
Mr. ^LD.K.Chakravorty, Member(A))

We have heard the learned counsel of both parties.

The prayer contained in this application is that the respondents be directed to take the applicant as Lower Division Clerk w.e.f.18.5.1990 in the National Gallery of Modern Art where he joined as Lower Division Clerk on regular basis w.e.f.27.3.1984. The respondents have stated in their counter-affidavit that the applicant has been taken back and "absorbed" w.e.f.18.5.90. They have also drawn our attention to a Seniority List of L.D.Cs. in the National Gallery of Modern Art as on 10-8-1990 which indicates the date of regular appointment of the applicant to the Grade as 27.3.1984 and that the post is held in a temporary capacity since 27.3.84. In a

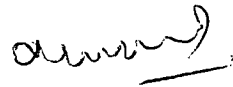
QA-1043/90.

^{note below}
~~Appendix~~ to the Seniority List, it has been stated that the applicant's seniority is subject to modification on receipt of the decision of the Department of Culture.

2. As the applicant has been taken back as an L.O.C. on regular basis, the grievance mentioned in the application is already ^{redressed} ~~served~~. The learned counsel of the applicant, however, ^{request} ~~states~~ that ^{the order may be made may make} ~~it will make~~ ^{will be reckoned from 27-3-1982} clear ^{that} the applicant's seniority ~~is prepared~~. The seniority of the applicant is not directly in issue in the present application. We, however, direct, that the seniority of the applicant shall be determined in accordance with the relevant rules and instructions. The application is disposed of at the admission stage itself accordingly.

There will be no order as to costs.


 (D.K.CHAKRAVORTY)
 MEMBER (A)


 (P.K.KARTHA)
 VICE CHAIRMAN

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