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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

D.A.No.1290/90

New Delhi, this the 8th day of August, 1994.

HON'BLE MR.JUSTICE D.L.MEHTA VICE CHAIRMAN(J)

HON'BLE SHRI B.K.SINGH MEMBER(A)

Giasa Ram,
peon,
Ministry of Petroleum & Chemicals,
Deptt. of Petroleum & Natural Gas,
208 'A' Wing, Shastri Bhawan,
New Delhi.

..Applicant

(BY Shri K.A.Dewan, Advocate)

Vs.

Union of India, through:

1. The Secretary,
Ministry of Defence (DGQA)
South Block, New Delhi.
2. The Inspector,
Quality Assurance Establishment,
Ministry of Defence (DGQA)
North India, Anand Parbat,
New Delhi.
3. The Administrative Officer,
Quality Assurance Establishment,
Ministry of Defence (DGQA),
North India, Anand Parbat,
New Delhi.

..Respondents

(By Shri ML Verma, Advocate)

ORDER(ORAL)

HON'BLE MR.JUSTICE D.L.MEHTA VICE CHAIRMAN(J)

None present on behalf of both the parties.

The applicant was holding the post of permanent Viewer 'C' with the then Inspectorate of General Stores, North India, Anand Parbat, New Delhi. On account of studies of establishment by the Staff Inspection Unit, Ministry of Finance, the applicant and others were declared surplus and movement orders were issued on 27-5-71 to report for duties to Ministry of Petroleum & Chemicals, Deptt. of Petroleum & Natural Gas. Directions were also given that he will draw pay in his present scale with effect from the date he joins that Mantralaya and his pay will be protected by treating as personal to him. Applicant

has filed this petition after 19 years on the ground that this Tribunal has decided some T.As including T.A.No.502/86 of Dhanpat Rai Vs. Union of India on 20-1-1989. It will not be out of place to mention that on page 3 para 3 of the judgment it has been specifically mentioned that according to the plaintiff the notice of termination was illegal as under the scheme of redeployment, he was to be posted in the Central Pool of the surplus Staff Cell and offered equivalent post available in other Central Departments in accordance with the DGI's letter of 22-10-1970. This Bench accepted the petition and directed that the termination orders be set aside. The case of the applicant is totally different from the case of Dhanpat Rai & Urs. The applicant was absorbed against the post of peon and his pay was protected. Thus he cannot have any grievance apart from ^{the fact that} he is approaching the Tribunal after 19 years of service. ^{^^} This Tribunal has no jurisdiction to entertain this petition. The L.A. stands disposed of accordingly. No costs.

(B.K. SINGH)
Member (A)

'M'

(D.L. MEHTA)
Vice Chairman (J)