

(9)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

O.A.NO.1379/91

New Delhi, this the 1st day of June, 1995

Hon'ble Shri J.P. Sharma, Member (J)

Hon'ble Shri B.K. Singh, Member (A)

Shri S.C. Chakravorty,
working as Head Clerk,
Office of Regional Provident Fund Commissioner
60, Skylark Building, Nehru Place,
New Delhi.
R/o Q.No.80, Bhavishya Nidhi Enclave,
New Delhi.

... Applicant

By Advocate: None

Vs.

1. Chairman,
Central Board of Trustees
through Secretary,
Ministry of Labour,
Sharam Shakti Bhavan,
Rafi Marg, New Delhi.
2. The Provident Fund Commissioner
9th Floor, Mayur Bhavan,
Connaught Place, New Delhi.
3. The Regional Provident Fund Commissioner
7th Floor, Skylark Building,
Nehru Place, New Delhi.

4. Shri Dalbir Singh

5. Shri A.S. Sarna

6. Shri T.D. Monga

7. Shri Kuldeep Raj

8. Mrs. Krishna Khatri

9. Shri S.K. Bhattacharya

10. Shri K.N. Singh

11. Shri Pramod Kumar

12. Shri R.R. Bhanot

13. Smt. Usha Sharma

14. Shri Priyajit Choudhry

15. Shri K.S. Sharma

Respondents 4 to 15 are working
with the office of Regional
Provident Fund Commissioner, 7th Floor,
Skylark Bldg, and service of
Respondents 4 to 15 be affected through
Respondent No.3

... Respondents

By Advocate: None

...2.

O R D E R (ORAL)

Hon'ble Shri J.P. Sharma, Member(J)


The grievance of the applicant is that he has not been given adequate place in the senioritylist and that Respondent Nos.4 to 15 have been wrongly shown senior to the applicant and therefore he has challenged the O.M. dated 27.2.91 regarding the proposed senioritylist alongwith earlier O.M. of 10.10.88 and office order dated 4.8.89 and office order dated 15.3.91.

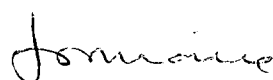
The relief claimed by the petitioner is for quashing of these orders and that the applicant be declared senior to the private respondents. The respondents contested this application and have taken the simple stand that the applicant at the time when the senioritylist of 1980 was prepared did not make any objection to be drawn on the basis of decision of the Apex Court regarding the seniority list of Head Clerk. CAT Chandigarh Bench in O.A.No.556/86 and CAT Ernakulam Bench in O.A.No.K-623/88 have given certain directions. The Hon'ble Supreme Court has dismissed the SLP against the judgement. The respondents have therefore drawn the senioritylist and seniority of the applicant

cannot be changed because of the reasons given
in the counter by the respondents page 92

Preliminary Objections.

Since the applicant is not present to
press the relief and he has also not filed the
rejoinder in reply to the aforesaid averments
made in the counter by the respondents, so it
appears that he has convinced by the stand taken
by the respondents in the counter. The
application is, therefore, dismissed for
non prosecution.


(B.K. SINGH)
MEMBER(A)


(J.P. SHARMA)
MEMBER(J)

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