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**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI**

O.A./T.A. NO. 2366 of/1991 Decided on : 22.11.95

V.D. Arora

... Applicant(s)

(By Shri T.P.S. Rathor Advocate)

versus

U.O.I.

... Respondent(s)

(By Shri P.H. Ramchandani Advocate)

CORAM

THE HON'BLE SHRI S.R. ADIGE, MEMBER (A)

THE HON'BLE ~~SHRI~~ DR. A. VEDAVALLI, MEMBER (J)

1. To be referred to the Reporter or not ? Y
2. Whether to be circulated to other Benches of the Tribunal ? Y

(DR. A. VEDAVALLI)
Member (J)

(S.R. ADIGE)
Member (A)

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CENTRAL ADMINISTRATIVE TRIBUNAL
Principal Bench

O.A. No. 2366 of 1991
New Delhi, dated the 22nd November, 1995

HON'BLE MR. S.R. ADIGE, MEMBER (A)
HON'BLE DR. A. VEDA VALLI, MEMBER (J)

Shri V.D. Arora,
S/o late Shri Kanhiya Lal,
R/o N-22, Srinivaspuri,
New Delhi-110065. Applicant

(By Advocate: T.P.S. Rathor)

VERSUS

Union of India through the
Secretary,
Ministry of Civil Supplies,
and Public Distribution,
Krishi Bhawan,
New Delhi. Respondents

(By Advocate: Shri P.H. Ramchandani)

JUDGMENT

BY HON'BLE MR. S.R. ADIGE, MEMBER (A)

The applicant Shri V.D. Arora in this O.A. seeks adjustment as LDC against a vacant post in the Headquarters Office of the Directorate of Weights & Measures and seniority from the date of his entry into Govt. service i.e. 28.5.73 with consequential benefits of promotion with retrospective effect.

2. The applicant was appointed as LDC in the Northern Railway Office of the Directorate of Weights & Measures on 28.5.73. Same time in the mid 1970's this Directorate was brought under the Dep't. of Civil Supplies and Coop.

The applicant was declared permanent

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as LDC w.e.f. 15.5.76 vide Ministry of Civil Supplies and Coop. (Directorate of Weights & Measures) orders dated 3.6.79. Thereafter he was appointed as Stenographer Grade D on ad hoc basis in the Dept. of Civil Supplies w.e.f. 22.11.83. Thereafter consequent upon abolition of certain posts including that of the applicant his services were placed with the Surplus Cell vide O.M. dated 18.7.86, at which point of time, he was working as Stenographer Grade 'D' which he continued to hold till 28.8.86 when he proceeded to take up his new appointment in the Pay & Accounts Office of the Ministry of Personnel by Office Order dated 29.8.86 (Ann. A.6).

3. The applicant has not succeeded in establishing that consequent to the abolition of the permanent post of LDC in the Directorate of Weights and Measures in the Dept. of Civil Supplies and Coop., there were other available posts of LDC in that Directorate, or in the same Ministry itself against which he could have been adjusted. Upon the abolition of his post the respondents acted as per rules in forwarding his name to the Surplus Cell administered by the D.P.A.R. whose responsibility it was to redeploy the applicant, which they did by placing his services with the Pay & Accounts Office of the D.P.A.R. as an LDC. The fact that an instrument mechanic Shri Raghunath Singh was adjusted in the Directorate of Weights &

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Measures as a peon and a Chowkidar was
adjusted in the Ministry of Civil Supplies
does not mean that the applicant had an
enforceable right to be similarly adjusted in
the Directorate of Weights and Measures or the
Ministry of Civil Supplies itself.

4. In the result this O.A. fails and is
dismissed. No costs.

A Vedavalli
(DR. A. VEDAVALI)
Member (J)

S. R. Adige
(S. R. ADIGE)
Member (A)

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