

Central Administrative Tribunal, Principal Bench
New Delhi.
O.A. 3100/91

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New Delhi, this the 20th May 1997

Hon'ble Dr. Jose P. Verghese, Vice Chairman (J)
Hon'ble Mr. K Muthukumur, Member (A)

OA 3100/91

1. K K Garg,
2. Amar Chand,
3. Devki Nandan,
4. S. Bhattacharya,
5. R.J. Batra,
6. Ram Swarup,
7. Balwant Singh,
8. Amrit Singh,
9. R. Kalwani
10. S. L. Barodia
11. R. C. Acharya
12. R. C. Sethya
13. Girdhari Lal
14. Rakesh Kumar

(Regular Assistants working as Section Officers (Ad hoc)
in the Ministry of Welfare, Shastri Bhavan, New Delhi.)

Applicant

(By Advocate Sh.T.C. Aggarwal)

Versus

1. Secretary to the Govt. of India
Ministry of Welfare
Shastri Bhawan, New Delhi.
2. Secretary to the Govt. of India
Ministry of Personnel & Training
North Block, New Delhi.

Respondent

(None for the Respondents)

O R D E R (ORAL)

DR. JOSE P VERGHESE, VC (J)

14 applicants in this OA has challenged over-imposition of the regularly recruited candidates to the post of Section Officer which according to the petitioner is in excess and they are aggrieved by their non-regularisation/reversion to their original post retrospectively. We are afraid that we are not in a position to give any relief in this matter since the regular appointment have already been made in accordance with the rules, and their appointment cannot be faulted. The respondents shall consider them in accordance with their seniority against the 14 % quota available to the promotees in future, in accordance with the rules.

(11)

The petitioner is also aggrieved by their reversion. The reversion in the case has been passed retrospectively in respect of 6 persons for various vacancies. These two notifications dated 21st June 1992 pertaining to 4 of the petitioners and another order dated 27th June 1992 pertaining to 2 petitioners have been passed retrospectively except one namely Mr. R C Acharya. Therefore, in pursuance to the above said order and in case no payment has been made for the period covered by the retrospective effect of the above, the respondents shall pay them on the basis of actual work done by the petitioners. To make it more clear, the petitioner Sh. Girdhari Lal has been reverted on 21st Jan w.e.f. 8.1.91. It is stated that the Girdhari Lal will be entitled to payment during the period he has actually worked as Section Officer. Similarly, Shri KK Garg, Rakesh Kumar, Devki Nandan and R C Sethya are also entitled to the payment to the extent of the respective operation of the said order.

With these observations and directions this OA is finally disposed of.



(K Muthukumar)
Member(A)



(Dr. Jose P. Verghese)
Vice Chairman (J)