

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA 1401/2004

New Delhi this the 2nd June, 2004

Hon'ble Shri Sarweshwar Jha, Member (A)

Smt. Chanchal Chawla,
Court Master,
Principal Bench, New Delhi.

..Applicant

(Mrs. Harvinder Oberoi proxy
for Shri Harpreet Arora)

VERSUS

Union of India through the
Principal Registrar,
Central Administrative Tribunal,
Principal Bench, New Delhi.

..Respondent

O R D E R (ORAL)

Heard.

2. This OA has been filed by the applicant with a prayer that the respondents be directed to dispose of her representation dated 6.1.2003, a copy of which is placed at pages 6-10 of this OA, in the light of the decision of the Hon'ble Apex Court in the case of **M. Ramachandran Vs. Govind Ballabh and Ors** in Civil Appeal No. 2704/1997 decided on 21.9.1999.

3. The applicant is a Court Master in the Central Administrative Tribunal (Principal Bench), New Delhi. She initially joined the Tribunal on 26.7.1993 on deputation from the Central Industrial Security Force (CISF) where she had worked in the scale of Rs. 1400-2300 (pre-revised) in the post of Sub Inspector (Stenographer). She has submitted that while others had been asked to exercise their option for absorption



in the Tribunal in July, 1993 on completion of requisite years of service and having become eligible therefor, the same option had not been offered to her. She was denied the opportunity to exercise this option on two occasions which led to delay in her absorption in the Tribunal. She was finally absorbed on 26.5.1998 only. She is now facing problem with her seniority in the category of Court Masters, for which she has also submitted a representation to the respondents as mentioned above and which is pending with them.

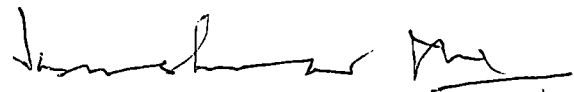
4. She has relied on the decisions given by the Hon'ble Apex Court, as mentioned above, in **M. Ramachandran's** case (supra) in which, among other things, it has been held that the service in an equivalent post held in the parent organisation has to be kept in view while finalising inter se seniority of persons who are appointed on deputation and who are subsequently absorbed. In the case of the applicant, as submitted in her representation, this aspect of the matter has been raised and a prayer has been made that the service which she ^{had} rendered in the CISE as SI (Steno.), a post higher than that of Grade D Steno. carrying the scale of pay of Rs. 1200-2040, should have been taken into account while fixing her seniority.

5. Having considered the facts as submitted in this Original Application and also what she has submitted in her representation, as has been referred to hereinabove, I am of the considered opinion that the



proper course at this stage would be to dispose of this O.A. with a direction to the respondents to consider her representation together with this OA, treating it as an additional representation of the applicant, and dispose them of keeping in view the decision of the Apex Court in **M. Ramachandran's** case (supra) in CA No.2704/1997, which has been relied upon by the applicant, by issuing a speaking and reasoned order within a period of two months from the date of receipt of a copy of this order.

6. With this, the OA stands disposed of.


(Sarweshwar Jha)
Member (A)

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