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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

OA NO. 430/2004

This the 25th day of November, 2004

HON'BLE SH. SHANKER RAJU, MEMBER (J)
HON'BLE SH. SARWESHWAR JHA, MEMBER (A)

Sh. Anil Kumar Das
S/o Late Sh. S.N.Das
R/o 812-1, NH-4, Faridabad
Haryana.

(By Advocate: Sh. Ravinder K.Das)

Versus

1. Union of India
through Secretary
Legislative Department
(Vidhi Sahitya Prakashan)
Ministry of Law & Justice
4th Floor, Shastri Bhawan,
New Delhi.
2. Sh. Satish Kumar
Copy Holder
Vidhi Sahitya Prakashan
Inidan Law Institute Building
Bhagwan Das Road,
New Delhi.

(By Advocate: Sh. Rajeev Bansal)

ORDER (ORAL)

By Hon'ble Sh. Shanker Raju, Member (J)

Heard.

2. In so far as promotion of Proof Reader is concerned, the same cannot be assailed as Resp. No.2 has been promoted in his own quota against reservation. The claim of the applicant is for reckoning seniority on the equivalent grade in the light of Apex Court decision in SI Roop Lal vs. Lt. Governor JT 1999 (9) SC 597. This has been turned down vide respondents order dated 17.2.2003 as well as 17.4.2003 against which an appeal preferred by the applicant to the Legislative Department on 22.4.2003 is still not responded to by the respondents. Counsel

for applicant contends that in Clause 4 of DOPT OM dated 27.3.2001 instructions which were effective from 14.12.99 whereby words "whichever is later" occurring in OM dated 29.5.1986 have been replaced with "whichever is earlier". As such, it is stated that appointments made earlier to it will not be covered by it.

3. Be that as it may, we dispose of this OA with a direction to the respondents to pass a reasoned and speaking order on the appeal of the applicant, if not done so, dealing with his contentions, within a period of two months from the date of receipt of a copy of this order. If the applicant is still aggrieved it shall be open for him to approach this Court, if so advised.


(SARWESHWAR JHA)
Member (A)


(SHANKER RAJU)
Member (J)

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