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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH: NEW DELHI

OA No. 1819/92

.. Date of decision: 06.08.93

Sh. Nand Kishore

.. Applicant

Versus

Union of India

.. Respondents.

CORAM

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

Hon'ble Mr. Gurushankaran, Member (A)

For the applicant

.. Sh. Anis Suhrawardy, Counsel.

For the respondents

.. Sh. H.K. Gangwani, Counsel.

J U D G E M E N T (Oral)

(Delivered by Hon'ble Mr. J.P. Sharma, Member(J))

The applicant Sh. Nand Kishore and 36 others has been permitted to file this joint application where they have raised grievance of their transfer by virtue of an order dated 20.06.92 (Annexure P.1). The applicants claimed the relief of quashing of this order and also declaring the same as void in the light of the judgement given in a bunch of cases by the Principal Bench on 04.06.90 the leading case being OA 896/88- Mohinder Kumar Vs. U. O.I. & Ors. It is further prayed that the arrears of salary of the applicants be released after they acquired the temporary status on completion of 120 days.

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A notice was issued to the respondents and ^{in spite} ~~instead~~ of repeated opportunities, they did not respond and no reply has been filed in the present application. The Registry therefore listed the matter before the Bench for further directions.

Sh. H.K. Gangwani, Counsel appears for the respondents and prayed for grant of further time which has been opposed by the learned counsel for the applicant. In view of this, we have heard the learned cosounsel for the applicant on merit of the case.

After hearing the submissions and perusing the records and the judgement of the Principal Bench dated 04.06.90, we are of the opinion that the applicant should make a detailed representation to the respondents regarding the grievance of seniority. The respondents shall consider the same and dispose of the same expeditiously. If the applicants are still aggrieved, they shall be liberty to assail the same.

The learned counsnel for the applicant also after submitting the argument at length, made a request to withdraw this application reserving the liberty to assail the matter of seniority and arrears, if any, payable to the applicants.

In view of the above facts, the application is dismissed as withdrawn with the liberty to the applicants to make a detailed ^{representation} ~~application~~ regarding the grievance of seniority and payment of arrears if any, payable to the

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applicants. The applicants may make the representation within one month from today.

hankaran
6/8/93
(S. Gurusankaran)

Member (A)

J.P. Sharma
(J.P. Sharma)

Member(J)