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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

O.A./T.A. NO. 2231 of 1992 Decided on : 11, 12. 95

Raghbir Singh & Anr.

... Applicant(s)
(By Shri A.K. Bhardwaj Advocate)

versus

U.O.I.

... Respondent(s)
(By Shri M.K. Gupta 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 ? Yes
2. Whether to be circulated to other Benches of the Tribunal ? No

A.

(DR. A. VEDAVALLI)
Member (J)

Arfaq-
(S.R. A. DIGE)
Member (A)

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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH
NEW DELHI

D.A. No. 2231/92

New Delhi, dated the 17th December, 1995

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

HON'BLE DR. A. VEDA VALLI, MEMBER (J)

1. Shri Raghbir Singh,
S/o Shri Nanpat Singh,
R/o G-2274, Netaji Nagar,
New Delhi-110023.

2. Shri Bhajan Singh
S/o Shri Shankar Singh,
R/o 39-B, Begumpur Park,
Malviya Nagar,
New Delhi-110017.

3. Shri S. Mazumdar
C/o Communication
Section,
CCPW, Block 9,
CGO Complex,
Lodhi Road,
New Delhi-110003.

..... APPLICANTS

(By Advocate: Shri A.K. Bhardwaj)

VERSUS

1. Union of India through
the Ministry of Home Affairs,
Directorate of Coordination
Police Wireless, Police
Block No.9, C.G.O. Complex,
Lodhi Road, New Delhi.

2. The Director,
Directorate of Coordination,
Police Wireless,
Block No.9, C.G.O. Complex,
Lodhi Road, New Delhi.

3. Shri S. Vedachalan,
Wireless Supervisor,
c/o Dy. Director,
CPRTI, Upper Ridge Road,
New Delhi.

4. Shri M.J. Andhbre,
Wireless Supervisor,
c/o Extra Asstt. Director,
Inter State Police Wireless Station,
Police Wireless Hqrs.,
Malabar Hills, Bombay.

5. Shri A.K. Sutrada, RESPONDENTS
Wireless Supervisor,
c/o Station Superintendent,
Inter State Police Wireless Station,
Janta Bhawan, Dispur,
Assam.

(By Advocate: Shri M.K. Gupta)

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JUDGMENT

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

In this application Shri Raghbir Singh and one another have prayed for a direction to

- (i) Setting aside the Office Order part II (58/91) dated 26.3.91 (Annexure A-2);
- (ii) Declaring that the applicants are senior to Respondents 3 to 5 on the post of Wireless Supervisor; and
- (iii) Direct the official Respondents to consider the applicants for the post of Senior/supervising officer.

2. It is not disputed that the grant of relief (ii) and (iii) would depend upon the grant of relief (i).

3. In so far as the prayer to set aside the Office Order dated 26.3.91 contained in relief (i) is concerned, the Respondents' counsel Shri M.K. Gupta has invited our attention to the judgment of a Division Bench on CAT, Bangalore Bench dated 9.9.93 in O.A. No. 181/92 V. Shivanna Vs. Director, Police Telecommunication & Ors. wherein an identical prayer for quashing the impugned order dated 26.3.91 had been considered on merits and dismissed.

4. Applicants' counsel Shri Bhardwaj has not furnished any material before us, to lead us to conclude that the said judgment dated 9.9.93 in Shivanna's case (Supra) has not become final. We as a coordinating division bench are bound by

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in detailed
that judgment, which as stated above was disposed
of on merits after considering the rival
contentions made by both parties.

5. On that short ground, we are unable to
grant the relief prayed for by the applicants and
accordingly this O.A. is dismissed.

6. MA-2 243/95 also stands disposed of
accordingly. No costs.

A Vedavalli

(DR. A. VEDAVALLI)
Member (J)

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

/GK/