

CENTRAL ADMINISTRATIVE TRIBUNAL
Principal Bench

O.A. No. 2409 of 1992

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New Delhi, dated the 4th March, 1998

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)
HON'BLE Mrs. LAKSHMI SWAMINATHAN, MEMBER (J)

1. S. Raghothaman,
S/o late Shri N.S. Rao,
R/o H-513, Kali Bari Marg,
New Delhi-110001.
2. Nistor Toppo,
S/o late Shri Jowachim Toppo,
R/o F-227, Nanakpura,
New Delhi-110021.
3. S.S. Bhattacharya,
S/o late Shri N.N. Bhattacharya,
R/o 198-K, Aram Bagh,
New Delhi-110055.
4. Gopal Chandra Mali,
S/o late Shri Panch Kori Mali,
R/o 43-H, Aram Bagh,
New Delhi-110055.
5. Om Prakash,
R/o 42-H, Sector IV,
Pushp Vihar,
New Delhi-110017.
6. M.K. Sarkar,
S/o late Shri S.C. Sarkar,
R/o BG-5/A/39-B, Paschim Vihar,
New Delhi-110063.
7. Smt. Suresh Singhal,
wife of Shri Ravinder Singhal
R/o WZ-13, Sadh Nagar,
Palam Colony,
New Delhi-1110045.
8. Smt. Asha Pani,
Wife of Shri Suresh Kumar,
R/o 9277/6, Multani Dhanda,
Paharganj,
New Delhi-110055.

... APPLICANTS

(By Advocate: Shri E.X. Joseph, Sr. Counsel)

VERSUS

1. Union of India through
the Secretary,
Ministry of Industry,
Dept. of Industrial Dev.,
Udyog Bhawan,
New Delhi-110011.

2. Controller General, Patents,
Designs and Trademarks,
Central Building,
Maharishi Karve Road,
Mumbai-400020.

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3. The Jt. Controller of Patents and Designs,
Patent Office,
6th and 7th Floor, M.S. Building (2nd),
Nizam Palace,
234/4, Acharya J.C. Bose Road,
Calcutta-700020.

4. Dy. Controller of Patents
and Designs,
Patent Office Branch,
Municipal Market Building,
3rd Floor, Karol Bagh,
New Delhi-110005.

... RESPONDENTS

(By Advocate: Shri N.S. Mehta)

ORDER (Oral)

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

Applicants seek a direction to respondents to make promotions within Group 'C' and from Group 'C' to Group 'B' on the basis of All India Seniority List of employees.


2. We have heard Shri E.X. Joseph, Senior Counsel for applicant and Shri N.S. Mehta for respondents.

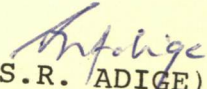
3. Respondents in their reply do not deny that a provisional all India seniority List of Group 'C' employees was prepared, but they state that because of resistance from the staff members of the Head Office, Calcutta the said provisional seniority list could not be finalised.

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4. It is not in dispute that the Headquarters of the respondent Office i.e. Controller General, Patents, Designs & Trademarks are located at Mumbai, but the main office is in Calcutta with branches located in Delhi and Chennai as well as a branch office in Mumbai.
5. In the light of Respondents' own reply referred to above, we dispose of this O.A. with a direction to them to finalise ^{the} all India seniority list of Group 'C' employees of the ^{apromentioned} ~~Patent~~ Office and its branches, as early possible, and in any event within six months from the date of receipt of a copy of this order, and ^{to} ~~shall~~ make promotions on the basis of the aforesaid list in accordance with rules and instructions on the subject. No costs.


(Mrs. LAKSHMI SWAMINATHAN)
/GK/


(S.R. ADIGE)
Member (J) Vice Chairman (A)