

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

O.A.No. 2714 of 1992

New Delhi, dated this the 9 th July, 1998.

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

Shri Om Parkash Maurya,
S/o Shri Bhagwan Dass,
House No. 955, Pkt. No. 2,
Paschimpuri,
New Delhi - 110063 Applicant.

(By Advocate: Shri R.L. Sethi)

Versus

Union of India
through:

1. The Secretary,
Medical Health Services,
Delhi Administration,
Delhi
2. Smt. Lalita Chitkara (Gupta),
Social Worker, G.B. Pant Hospital,
New Delhi - 2.
3. Smt. Rita Sharma (Mehta) , Social Worker,
L.N.J.P. Hospital,
New Delhi - 02
4. M/s Indira Saxena, Social Worker,
Maulana Azad Medical College,
New Delhi - 02.
5. Sh. Sikander Ali Khan, Social Worker,
Guru Tegh Bahadur Hospital, Shahadra,
Delhi Respondents.

(None appeared)

ORDER (ORAL)

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

Applicant impugns the final seniority list of Class III (Technical) Social Workers dated 1.6.92 (Annexure-A1 to the amended OA) and seeks interpolation of his name between Sl.No. 10 and 11 of that list, instead of Sl. No. 15, where his name features at present.

2. Applicant had initially filed the present OA on 15.10.92, to which respondents filed their

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reply stating that applicant's name was at Sl. No. 15 in the final Seniority List and since only five Social Workers were promoted to the post of PFD, the interest of applicant had in no way been affected as his position lays beyond five vacancies. But their reply did not touch upon the main grievance of the applicant viz³ seeking interpolation of his name between Sl.No.10 and 11. Applicant thereafter had filed the amended OA also impleading certain private respondents to which no reply has been filed.

3. We have heard Shri Sethi for applicant. Shri Sethi has pointed out that his client is a regular Class III (Tech.) Social Worker and joined service on 2.1.86. Shri Sethi contends that the seniority list should have been prepared strictly in accordance with the date of regular appointment and on that basis applicant's name should be positioned between Sl. No.10 and 11.

4. We note that despite several opportunities, none has appeared for respondents official or private and under the circumstances we are not aware of their stand in the matter.

5. We dispose of this OA with a direction to the official respondents to consider applicant's prayer for placement in the aforesaid seniority list between Sl.No.10 Shri R. Chauhan and Sl.No.11 Smt. Lalita Chitkara (Gupta) in accordance with rules and instructions and to pass a detailed speaking order thereon within two months from the date of receipt of a copy of this order. If official respondents find

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that the rules and instructions do not permit placement of applicant's name between Sl.No. 10 and 11 as prayed for above, they will indicate the specific reasons for coming to such conclusion. No costs.

Lakshmi Swaminathan
(MRS. LAKSHMI SWAMINATHAN)
MEMBER(J)

S. R. Adige
(S. R. ADIGE)
VICE CHAIRMAN (A).

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