

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI.

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O. A. No. 3063 of 1992

New Delhi, this the 28th day of September, 1994.

Hon'ble Mr Justice S.K.Dhaon, Acting Chairman.  
Hon'ble Mr B.N.Dhoundiyal, Member (A)

Mrs Kulwant Kaur Karnal,  
Wife of Shri M. S. Karnal,  
Nursing Sister,  
Guru Teg Bahadur Hospital,  
Shahdara, Delhi. . . . . Applicant.  
(through Mr D.R.Roy, Advocate)

vs.

1. Union of India,  
through Secretary (Health),  
Nirman Bhawan, New Delhi-1.
2. Secretary (Health)  
Delhi Administration,  
5, Sham Nath Marg, Delhi-8.
3. Health Officer,  
Technical Recruitment Cell,  
Medical & Public Health Deptt.,  
Delhi Administration,  
5, Sham Nath Marg, Delhi.
4. Medical Superintendent,  
Guru Teg Bahadur Hospital,  
Shahdara Delhi-95. . . . . Respondents.  
(none appeared)

ORDER (ORAL)

JUSTICE S.K.DHAON, ACTING CHAIRMAN

The premise of this application is that the applicant was appointed on regular basis on 21st January, 1966. This being the foundation, the applicant has prayed that necessary corrections may be made in the record and as a consequence to that, the seniority-list may be revised.

2. A counter-affidavit has been filed on behalf of the respondents. The material averments are these. On 21st January, 1966, the applicant was appointed on adhoc basis. She was appointed

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on regular basis with effect from 24th August, 1968. She has been wrongly declared as quasi-permanent with effect from 21st January, 1969. We are, therefore, left with the factual question as to what is the exact date of appointment of the applicant. We see no reason to disbelieve the version of the respondents, and, therefore, we record the finding that the applicant was appointed on regular basis with effect from 21st January, 1969. Once this is done, the seniority list cannot be faulted by the applicant.

3. In paragraph 4.6 of the O.A. the averment is that sometime in early 1990, the applicant gathered that juniors to her were being promoted and then she tried to find out the reason behind such a possibility and she discovered that her date of appointment was wrongly maintained as 24th August, 1968. She made representations to the authorities. She was assured of action but in vain. The averments made in paragraph 4.6 are vague. No details of the persons junior to her are being mentioned. No date, on which the representation for the first time was made by the applicant, has been mentioned. Even a copy of the representation has not been annexed to the O.A. All this goes to show that the case set up by the applicant that she was actually appointed on 21st January, 1966 is merely an after-thought.

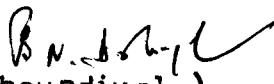
4. Merit apart, according to the applicant's own showing, she, for the first time realised in early January, 1990 that there was some defect in the seniority list and the cause of defect was wrong entry in the date of entry in service. She took no action. In paragraph 4.8, it is


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recited that in January, 1992, she came across the Circular dated 21st January, 1992 and thereafter she looked into the matter. This O.A. having been filed on 24th November, 1992 was obviously filed at a belated stage. No satisfactory explanation has been offered for the delay in filing the  
y O.A. from January, 1990 onwards

5. All told, this application deserves to be  
y dismissed and it is dismissed ~~accordingly~~ but without any order as to costs.

  
( B.N. Dhoundiyal )  
Member (A)

  
( S.K. Dhaon )  
Acting Chairman.

/sds/