

Central Administrative Tribunal
Principal Bench

O.A. No. 1852 of 1993

New Delhi, dated this the 30th July, 1999

(19)

Hon'ble Mr. S.R. Adige, Vice Chairman (A)
Hon'ble Mr. P.C. Kannan, Member (J)

S/Shri

1. T.K. Sivarajan,
Asst. Director,
Civil Design (N.W/S)
Directorate,
Central Water Commission,
West Block No.2
R.K. Puram,
New Delhi-66.

2. Atul Kumar Nayak,
Asst. Director,
Narmada Sagar Power House Dte.,
Central Water Commission,
West Block No.2,
Wing-7, 2nd Floor,
R.K. Puram,
New Delhi-110066. Applicants
(By Advocate: Shri V.S.R.Krishna)

Versus

Union of India through

1. The Secretary,
Government of India
Ministry of Water Resources,
New Delhi.

2. The Chairman,
Central Water Commission,
Sewa Bhawan,
R.K. Puram,
New Delhi-110066. Respondents
(By Advocate: Shri A.K. Bhardwaj)

O R D E R

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

Heard both sides.

2. Applicants' prayer for assignment of seniority as per slots available for direct recruits in the impugned seniority list of ADs/AEEs dated 16.3.88 (Ann. A-1) as on 1.11.87 fails as they themselves admit that

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they joined service in the grade of AD/AEE on 16.2.89 and 12.6.89 respectively. Manifestly they cannot find placement in a seniority list which was issued before they joined service.

(20)

3. In so far as the challenge to the DPC dated 23.8.93 on the basis of the impugned seniority list dated 16.3.88 is concerned, respondents have pointed out that the DPC considered only those officers who were included in the modified seniority list of ADs/AEEs as on 1.6.85 and in fact even some of those who were included in that list could not be considered because of unavailability of requisite number of vacancies while applicants joined the organisation much later than those who were included in the list as on 1.6.85.

4. The aforesaid position must be viewed in the context of respondents' O.M. dated 7.2.86 whereby the practice of keeping vacant slots for being filled up by direct recruits of later years has itself been dispensed with.

5. In the light of the above, the O.A. warrants no interference and is dismissed. No costs. dimissed. No costs.

Draaing

(P.C. Kannan)
Member (J)

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(S.R. Adige)
Vice Chairman (A)