

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH

ALLAHABAD

Allahabad : Dated this 3rd day of July, 2001.

Original Application No. 358 of 1996.

CORAM :-

Hon'ble Mr. Justice RRK Trivedi, V.C.

Hon'ble Maj Gen KK Srivastava, A.M.

M.E.S. No.307870,
Pal Singh S/o Late Sardar Pritam Singh,
Presently serving as Administrative Officer Gr.I,
in the Office of the Chief Engineer,
Air Force, Bamrauli District
Allahabad.

(Sri DC Saxena/Sri KN Katiyar, Advocate)

.Applicant

Versus

1. Union of India through Secretary
Ministry of Defence, Government of India,
New Delhi (South Block)-110011.
2. Engineer-in-Chief,
Engineering-in-Chief Branch,
Kashmir House, DHQ PO New Delhi.
3. Chief Engineer (M.E.S.)
Central Command, Lucknow.
4. Chief Engineer, Air Force,
Bamrauli, Allahabad.
5. M.E.S. No.134013,
Sri N. Mahadevan, Administrative Officer Grade I,
Presently serving as Administrative Officer Gr. I,
in the Office of Chief Engineer, Madras Zone,
Madras.
6. M.E.S. No.400407
Sri R. Bala Subramaniam,
presently serving as Administrative Officer
Gr. I in the Office of Chief Engineer, Southern
Command, Pune-1.
7. M.E.S. No.140230,
Sri P. Seth Madwan, presently posted as
Administrative Officer Gr.I, in the Office
of Chief Engineer, Madras Zone, Madras.

(Sri Prashant Mathur, Advocate)

.Respondents

O R D E R (O_r_a_l)

By Hon'ble Mr. Justice RRK Trivedi, V.C.

By this OA under Section 19 of the Administrative



Tribunals Act, 1985, the applicant has prayed for a direction to the respondents to accord him seniority on the basis of panel position and to ^{give} ~~accord~~ him all the consequential benefits. He has further prayed for a direction to consider the claim of the applicant for promotion to the post of Senior Administrative Grade Officer in the light of the directions given by various Benches of the Tribunal (Madras, Bombay, Chandigarh and Chennai Benches).

2. Learned counsel for the applicant placed before us the judgement of the aforesaid Benches of the Tribunal which are Annexures-A-3, 4 and 5 to the OA. The Bombay Bench of this Tribunal by order dated 09-2-1988 in OA No.529/1987 gave the following directions to the respondents :-

"The application, therefore, succeeds. We direct that the respondents should fix the seniority of the applicant in the post of Office Superintendent Gr. II. If not on the basis of notional seniority from 4-7-1980 but after taking into account the period of the applicant's officiation in the post of Office Superintendent Gr. II on ad hoc basis i.e. from 16-4-1973. As discussed in para 4 we hereby give a direction that the department should do the needful not only with respect to the applicant but with respect to all persons similarly placed and who are entitled to the benefit of the judgement though they have not made any application".

3. In view of the aforesaid direction given by the Bombay Bench and similar directions given by the Chennai and Chandigarh Benches, the respondents are bound to assess the correct seniority of the applicant as Administrative Officer Gr. I and to consider him for promotion to the next higher post i.e. Senior Administrative Officer.

4. The application is accordingly disposed of with the direction to respondent no.2 to consider the claim of the applicant and fix his seniority in the light of the judgement of the Bombay, ~~Bench and~~ Chandigarh and Chennai Benches and then consider the applicant for promotion to the next higher post i.e. Senior Administrative Officer

R—d

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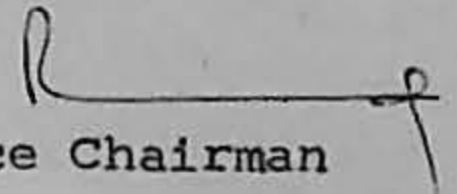
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R—A

as per rules. The exercise mentioned above shall be completed within six months from the date a copy of this order is filed before respondent no.2. The applicant shall also file a copy of the three judgements mentioned in this order before respondent no.2. No costs.



Member (A)



Vice Chairman

Dube/