

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.

Allahabad this the 10th day of December 2001

Original Application no. 619 of 1996.

Hon'ble Mr Justice RRK Trivedi, Vice-Chairman
Hon'ble Maj Gen KK Srivastava, Administrative Member

UC Saxena, S/o late GC Saxena,
R/o 42 MIG Sector 1, Hemant Vihar Barza 1,
Kanpur, presently employed as Enforcement Officer,
Legal Cell, Office of the Regional Provident Fund
Commissioner, Sarvodaya Nagar,
KANPUR.

..... Applicant

By Adv : Sri NK Nair
Sri MK Updhayaya


Versus

1. Central Board of Trustees, Employees Provident
Fund, 14 Bheekhaji/^{Kama}Place, RK Puram,
NEW DELHI.65 through its Chairman.
2. Central Provident Fund Commissioner, 14 Bheekhaji Kama
Place, RK Puram,
NEW DELHI.
3. Regional Provident Fund Commissioner,
UP Region, Sarvodaya Nagar,
KANPUR.

... Respondents

By Adv : Sri R Tewari

...2/-



2.

O R D E R

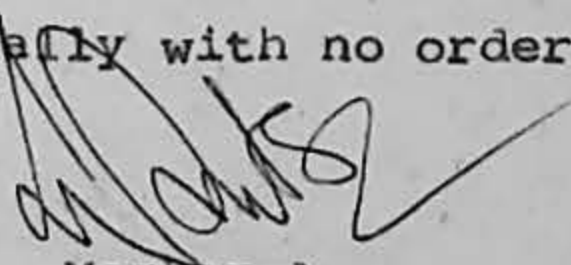
Hon'ble Mr. Justice RRK Trivedi, VC


The grievance of the applicant in this OA is that he has not been promoted to the post of Assistant Provident Fund Commissioner, though his juniors have been promoted.

2. The respondents have filed their counter affidavit, wherein in para 5 and 6, it has been stated that though initially the applicant could not be promoted as Assistant Provident Fund Commissioner on account of Disciplinary Proceedings pending against him, ^{but} ~~and~~ after he was exonerated, he has been given regular promotion and also restored his seniority for which he deserved. It has been stated that his name has been fixed at sl no. between 215 and 216 i.e. between S/Sh US Pandey and LS Gupta.

3. In view of the submission made in counter affidavit, in our opinion the relief has already given to the applicant. The respondents are directed to provide a seniority list to the applicant within a month and if the applicant ^{is} still dis-satisfied and any junior to him is still above him in the seniority list he shall have right to file objection to competent authority who shall decide the same within 3 months, thereafter.

4. Subject to aforesaid direction the OA is disposed of finally with no order as to costs.


Member-A


Vice-Chairman

/pc/