

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

CIRCUIT SITTING AT UTTARANCHAL (NAINITAL)

Nainital, this the 15th day of April, 2004.

QUORUM : HON. MR. JUSTICE S.R. SINGH, V.C.

HON. MAJ. GEN. K.K. SRIVASTAVA, A.M.

O.A. No. 851 of 1996

1. B.S. Negi, aged about 53 years S/O Sri D.S. Negi, G-103, Hathi Barkala, Estate Dehradun posted as Survey Assistant, 26, Party, Survey of India, 17.E.C. Road, Dehradun.
2. B.D. Maithani, aged about 53 years S/O Late Sri I.D. Maithani, 41, Salawala, Dehradun, posted as Survey Asstt., 79. party, Survey of India, 17. E.C. Road, Dehradun.
3. Surendra Singh, aged about 51 years S/O Sri Guman Singh R/O G-100, Hathi Barakala Estate, Dehradun, posted as Survey Asstt., No.6-Drawing Office Circular Road, Dehradun.
4. D.S. Rawat aged about 51 years, son of Late Sri Kunwar Singh Rawat, resident of G-93 Hathi Barkala Estate Dehradun posted as Survey Assistant, No.1Party, Survey of India, Hathi Barkala Estate, Dehradun.
5. M.K. Mamgain aged about 56 years, son of Late Sri D.C. Mamgain, 220/1, D.L. Road, Dehradun posted as Survey Assistant, Surveyor General Office, Dehradun.
6. Y.S. Tomar aged about 55 years, son of Sri Daulat Singh resident of Shanti Bhawan Laxman Puri, Mussoorie, posted as Survey Assistant, 25 party, Survey of India, Himalaya club, Mussoorie.

.....Applicants

(By Advocate Shri R.C. Sinha & Shri A. Srivastava)

Vs

1. Union of India, through Secretary Ministry of Science and Technology, New Delhi.
2. Surveyor General of India, Post Box No.37, Block No.8,

Hathi Barkala Estate Dehradun

.....Respondents

Counsel for respondents : Sri R.C. Jeshi.

ORDER (ORAL)

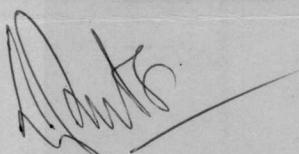
BY HON. MR. JUSTICE S.R. SINGH, V.C.

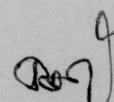
Heard Sri K.C. Sinha, learned counsel for applicant and Sri V.V. Mishra holding brief of Sri R.C. Jeshi, learned counsel for respondents. We have also perused the pleadings.

2. The applicants, who are working on the post of Survey Assistants, have instituted this O.A. seeking a direction to the respondents to allocate the separate quota for each feeding cadre in relation to the post of Officer Surveyor Group 'B'. It is not disputed that appointment to the post of Officer Surveyor Group 'B' is made by promotion from different feeder cadres including Survey Assistants. The applicants, it is stated at the bar by Sri K.C. Sinha, have preferred representation to the 1st respondent for redressal of their grievances raised in this O.A. Since it is basically for the rule making authority/executive to prescribe quota, if any, for promotion to a post appointment to which is made from different feeder cadres, it would be ~~both~~ proper if the competent authority be called upon to decide the representation ~~and~~ meet.

3. We are, therefore, of the view that it would ~~be~~ made ^{meet} the ends of justice if the present O.A. is disposed of with a direction to the respondents that in case the applicants file representation, the Secretary, Ministry of Science and Technology, New Delhi shall consider and dispose it of in accordance with law, as expeditiously as possible preferably within a period of three months from the date of receipt of the representation along with copy of this order.

No order as to costs.


A.M.


V.C.

Asthana/