

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. 37 of 2004.

Surendra Mohan Joshi S/O Shri Urva Dutt Joshi, Divisional Forest Officer, Mussoorie, District Dehradun... ...Applicant.

Counsel for applicant : Sri V.K. Singh.

Versus

1. Union of India through its Secretary, Ministry of Forests & Environment, New Delhi.
2. Principal Secretary/Secretary, Forest Department, U.P. Civil Secretariat, Lucknow.
3. Union Public Service Commission through its Secretary, Shahjahan Road, New Delhi.

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..... Respondents.

Counsel for respondents : Sri R.C. Joshi, K.P. Singh and Sri S. Chaturvedi.

ORDER (ORAL)

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

List has been revised. None appears for applicant. We have heard Sri K.P. Singh, learned counsel for Respondent No.2 and also perused the pleadings. Sri V.K. Singh, learned Counsel for applicant was informed ^{of the date &} by Sri K.P. Singh.


2. The applicant was ^{initially} appointed to the U.P. State Forest Services in the substantive capacity and in 1996 he was appointed by promotion to the cadre of Indian Forest Services and assigned 1992 batch as the year of allotment. It appears that selection held in the year 1996, gave rise to a dispute in O.A. No.982/96 and other connected O.As. The select list prepared in the year 1996 against 33 vacancy, was set aside by the Tribunal vide order dated 12.11.1997. Against the judgment a writ petition was filed which came to be dismissed by order dated May 11, 2001. The dispute has now attained ² finality with the judgment dated 11.5.2001. The instant O.A.

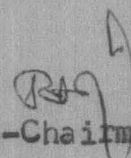
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seeks issuance of a direction to the respondents to adjust the applicant in Indian Forest Service against the vacancies so determined on yearwise basis as he has already been selected and appointed to the IFS U.P. Cadre on the basis of select list of 1996 and to make a provision of adjustment accordingly by holding review D.P.C. and making a provision for adjustment of the applicant while holding the review DPC.

3. We have been told by Sri K.P.Singh that the review D.P.C. has been held but the result could not be declared because of the interim order passed by the court in case of one Chaitanya Narain Vs. Union of India & others pending in the Allahabad High Court. In our opinion, therefore, the O.A. at this stage, is pre-mature and dismissed as such without prejudice to the right of the applicant to file a fresh O.A. in case he is aggrieved on declaration of the result of the review D.P.C.

No order as to costs.


Member(A)


Vice-Chairman

Brijesh/-