

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

ALLAHABAD.

No.T.A. 773/87

H.C. Joshi :::::::::::::: Applicant

vs.

Union of India &  
Others :::::::::::::: Respondents.

Hon. Mr. Justice U.C. Srivastava, V.C.

Hon. Mr. K. Obayya, A.M.

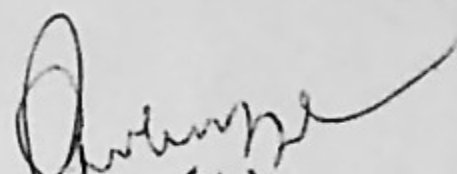
(By Hon. Mr. Justice U.C. Srivastava, V.C.)

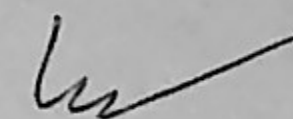
Shri Amit Stalkar, learned Counsel for the respondents, states that as the applicant has already been promoted, this application has become infructuous. This transfer application was filed before the High Court which was filed after the earlier one was allowed and the seniority list was quashed and the authorities were directed to prepare seniority list afresh in accordance with the directions contained in the decision. Feeling dissatisfied with the fresh seniority list, the applicant filed a writ petition challenging the promotions of the respondents No. 4, 5, 6 & 7 to the post of Assistant Shop Superintendent and also prayed for certain other connected relief.

2. In the Counter-Affidavit, the respondents have stated that so far as the earlier promotions are concerned, the applicant was not entitled to the same. The benefit of upgraded post was given only to the senior-most incumbents and the applicant not being the senior-most, the respondents who were senior to him were given the benefit. Further, the post of Asstt. Shop Supdt. (Rs. 700-900)

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is classified as selection post. Respondents No.4 to 7 have been promoted to the said post on adhoc basis. The applicant too has been selected to the said post (Rs.700-900) on adhoc basis. As all these persons have been promoted on adhoc basis and there is no averment to the effect that the respondents have been promoted regularly ignoring the claim of the applicant, the statement made by Shri Stalkar appears to be correct and accordingly this application is dismissed. Shri Amit Stalkar further states that the seniority list has been re-cast and this seniority list has not been challenged. Accordingly this application is dismissed as having become infructuous.

  
Member (A)

  
Vice-Chairman.

Dated: 26th November, 1992, Allahabad.

(tgk)