

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH

ALLAHABAD

Allanabad : Dated this 12th day of July, 2000

Original Application No. 728 of 1992

District : Kanpur

COURT :-

Hon'ble Mr. Rafiuddin, J.M.

Hon'ble Mr. M.R. Singh, A.M.

L.P. Verma,
Son of Sri Shiv Charan Lal,
Senior Technical Assistant
(Audi Visual) Posted at
Regional Directorate of Apprenticeship
Training (R.D.A.T.), Udyognagar, Kanpur.

(Sri Sudhir Agrawal, Advocate)

..... Applicant

versus

1. Union of India through Secretary
Ministry of Labour, New Delhi.
2. The Director General of Employment
and Training Shram Shakti Bhawan,
2/4, Rafi Marg, New Delhi.
3. The Regional Director of Apprenticeship
Training, Udyognagar, Kanpur.

(Sri Amit Sthalekar, Advocate)

..... Respondents

O R D E R (O_r_a_l)

By Hon'ble Mr. Rafiuddin, J.M.

The applicant has approached this Tribunal for a direction to the respondents to give all consequential benefits to him by redetermining his seniority in accordance with the order dated 10-4-1991 passed in OA No. 549/1986 by this Tribunal.

2. The applicant was initially ~~was~~ appointed on the post of Cinema Projector Operator-Cum-Driver (redesignated as Junior Technical Assistant on 11-9-1971. Certain lower cadres were also merged with Junior

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Technical Assistants' Cadre and as a result a combined seniority list was prepared on 1-7-1985 in which the applicant was shown lower to some of his junior officers also. One Smt. Abha Srivastava and three others filed OA No.549/1986 before this Tribunal challenging the determination of seniority. ^{RA} The aforesaid OA was allowed vide order dated 10-4-1991 and it was held that while preparing combined seniority list of JTA alongwith other Vocational Instructors, the persons who were working on the post of JTA were entitled to claim seniority over the persons who were working on the post of Junior Instructors on the date of appointment on the post of JTA. The respondents implemented the aforesaid order of this Tribunal but the benefit of the order was not extended to the applicant. Hence, this OA.

3. We have heard counsel for both the parties and perused the pleadings on record carefully.

4. Learned counsel for the applicant has pointed that one Sri KK Saxena and some other similarly situated persons also filed OA No.1570/1992 which was allowed vide order dated 28-4-2000 and the benefit of the order dated 10-4-1991 passed in OA No.549/1986 was also extended to the aforesaid Sri KK Saxena. It is disputed before us that the case of the applicant is ~~not~~ identical with that of Sri KK Saxena. Therefore, in our opinion the benefit of the order in question is also to be extended to the applicant by the respondents. Consequently the OA is allowed and the respondents are directed to extend the benefit of the order dated 10-4-1991 passed in OA No.549/1986. No order as to costs.

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Member (A)


Member (J)