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THE CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH

ALLAHABAD

Original Application No.851/1993

Harish Chandra & another ... applicants

versus

Union of India and others ... respondents

HON'BLE MR MAHARAJDIN, MEMBER-J

HON'BLE MR V K SETH, MEMBER-A

(By Hon'ble Maharajdin, Member-J)

This is an application under Section 19 of the Administrative Tribunal Act 1985 seeking for the relief to quash the impugned order dated 20-05-93

(Annexure A-4).

The applicants were promoted to the post of Senior Auditor in the pay scale of Rs.1400-2600 vide order dated 27-05-92. The applicants in pursuance of the said order, joined as Senior Auditor on 28-05-92 and since then they were working on the post. The applicants were promoted and posted on the post of Senior Auditor in substantive capacity. Now they have been reverted on the post of Auditor (Annexure A-1). It is stated that in the utter disregard of the rules, the juniors have been retained whereas the applicants being senior, have been



reverted. The applicants, in this connection, have filed select list (Annexure -3) dated 27-05-92 in which the applicants are placed on serial No.s 19 and 20. In subsequent select list prepared on 31-12-92 as many as 42 persons were promoted and posted as Senior Auditors. Naturally the persons promoted and posted subsequent to the applicants, are juniors to them and it is stated that without giving any opportunity of being heard, they have been reverted.

The applicants submitted representation dated 24-05-93 (Annexures -5 and 5-A) which are still pending for disposal with the respondents.

The learned counsel for the applicants has urged that they have been reverted without any cause and the juniors are still retained on the said post, therefore, direction may be issued to the respondents to consider their case. It is, however, to be mentioned here that one of the applicant viz. Harish Chandra has been allowed to continue to work as Senior Auditor, but he will not be allowed to the benefit of increment accruing to him with effect from 01-05-93. In other words he has been allowed simply to work without getting all the benefits of promotional post.

Omrao

Considering these facts and circumstances
of the case we are inclined to dispose of this application
at admission stage, as has also been requested by the
learned counsel for the applicant as well, with the
direction that the respondents shall dispose of the
representations (Annexures 5 and 5-A) submitted by
the applicants within a period of two months from the
date of communication of this order. In the meantime
the operation of impugned order dated 20-05-93 shall
remain stayed.

W K
MEMBER-A

26.5.93
MEMBER-J

DATED: Allahabad, MAY 26, 1993.

(VKS PS)
