

Open Court.

Central Administrative Tribunal,
Allahabad Bench, Allahabad.

Dated: Allahabad, This The Fourth Day of August, 2000.

Coram: Hon'ble Mr. S. Dayal, A.M.
Hon'ble Mr. Rafiq Uddin, J.M.

Original Application No. 390 of 2000.

Virendra Prasad Shukla,
son of Late Shiv Balak Ram Shukla,
r/o X-1/200, Krishnapuram,
Kanpur.

. . . Applicant.

Counsel for the applicant: Sri B.N. Chaturvedi, Adv.

Versus

1. Union of India through Secretary, Ministry
of Defence, New Delhi.

2. The Controller,
Controllerate of Quality Assurance
(Materials) Post Box No. 229,
Kanpur. 208004

3. The Director of Quality Assurance,
Department of Defence Production/DGQH
Org. (Adm-10), Government of India,
Ministry of Defence, D.H.Q. P.O.
New Delhi. 1100011.

. . . Respondents.

Counsel for the respondents: Nil.

Order (Open Court)

(By Hon'ble Mr. Rafiq Uddin, Member (J.)

The applicant was appointed as Senior
Store Keeper vide order dated 21.4.97 after his
selection through U.P.S.C. The selection of the
applicant was held in the year 1989. Since the
applicant joined in the year 1997, he claims
that his seniority should be counted from the

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from date of selection and not of the date of appointment. The representation of the applicant was rejected vide impugned order dated 11.10.99 which has been challenged by means of this O.A.

2. The learned counsel for the applicant has referred to the provisions of para 4 contained in Annexure- 7 to the O.A. which provides that seniority of all direct recruits shall be determined by the order of merit in which they are selected for such appointment on the recommendation of U.P.S.C. or other selecting committee. If any person appointed as a result of an earlier selection being senior to those appointed as a result of subsequent selection. It is evident from the perusal of the impugned order that the respondents have stated that the seniority of the applicant will be counted from the date of his appointment and not the date of selection. We also agree with the decision of the respondents because instructions cited above also state the same and as such the applicant can not claim seniority from the date of selection.

3. In view of the above, there are no grounds to admit the O.A. and the same is dismissed in limine. It would, however open to the applicant to file another O.A. in case any junior to the applicant in the same select list has been appointed earlier and given seniority above the applicant.

Rajendra
Member (J.)

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Member (A.)

Nafees.