

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 93 of 2003

Allahabad this the 02nd day of August, 2004

Hon'ble Mr. Justice S.R. Singh, V.C.
Hon'ble Mr. D.R. Tiwari, A.M.

Baljeet Singh, Son of Late Shri Tek Chandra, Resident of Village Nidampur, Post Office Sikanderabad, District Bulandshahr, presently posted as Assistant Security Officer Noida, Export Processing Zone, Phase-II, Noida, District Ghaziabad.

Applicant

By Advocates Shri Rajeev Trivedi
Shri A.M. Tripathi

Versus

1. Union of India through Secretary, Ministry of Commerce, Udyog Bhawan, New Delhi.
2. Development Commissioner, Noida, Export Processing Zone, Noida, Ghaziabad, U.P.
3. Deputy Development Commissioner, Noida Export Processing Zone, Noida, Ghaziabad, U.P .
4. Administrative Officer, Noida Export Processing Zone, Noida Ghaziabad, U.P.
5. Security Officer, Noida Export Processing Zone, Noida Ghaziabad, U.P.

Respondents

By Advocate Shri Satish Chaturvedi

O R D E R (Oral)

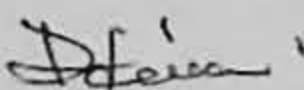
By Hon'ble Mr. Justice S.R. Singh, V.C.

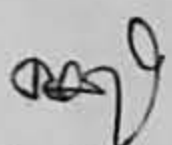
The applicant seeks quashing of the office order dated 27.01.2003 (annexure 6) whereby he was reverted from the post of Assistant Security Guard with immediate effect on the premises that the post was reserved for

Rev

S.C. candidate. The respondents have filed Govt. of India, Ministry of Commerce and Industry, Department of Commerce, Noida Special Economic Zone, Noida Dadri Road, Phase-II, Noida, District Gautam Budha Nagar (U.P) letter no. F.No. A-23016/1/94-Admn. dated 14.07.2004 addressed to this Tribunal intimating that as per the post based roster, in respect of the strength of ^{the cadre,} ~~two~~ posts, as on 02.07.97, ^{are 2} ~~1/2~~ 'unreserved' and in this view of matter "there is no need for reversion of the petitioner". Although in the letter aforesaid it has been asserted that the cause of action for filing the O.A. has become infructuous ^{as} ~~as the issue regarding reversion, as stated~~ ⁱⁿ ~~in this petition, does not become necessary~~ as per the post based reservation orders, effective from 02.07.97, we are of the view that the order impugned in the O.A. has to be set aside. Accordingly, O.A.

2. In the circumstances, therefore, O.A. succeeds and is allowed. The impugned order of reversion dated 27.01.2003 is set aside. Parties shall bear their own costs.


Member (A)


Vice Chairman

/M.M./