

A-2

(OPEN COURT)

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD**

ALLAHABAD this the 31st day of **MARCH, 2006**.

**HON'BLE MR. JUSTICE KHEM KARAN, V.C.
HON'BLE MR. A.K. SINGH, MEMBER- A.**

ORIGINAL APPLICATION NO. 300 OF 2006

Baij Nath Singh, a/a 57 years,
S/o Late Bhondi Singh, R/o 289/234,
Bhusauli Tola, Khuldabad, Allahabad

.....Applicant.

VE R S U S

1. Union of India through Comptroller and Auditor General of India, New Delhi.
2. Principal Accountant General, Uttar Pradesh, Allahabad.
3. Accountant General (Accounts and Entitlement)-I, Uttar Pradesh, Allahabad.

.....Respondents

Present for the Applicant: Sri A.K. Srivastava
Present for the Respondents :

ORDER

BY HON'BLE MR. JUSTICE KHEM KARAN, V.C

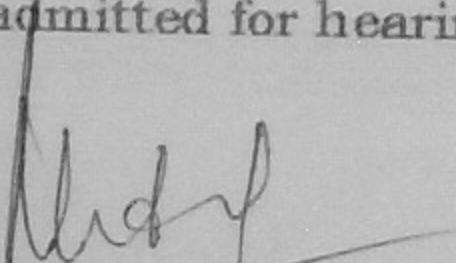
Heard Sri A.K. Srivastava, learned counsel appearing for the applicant on admission of the present Original Application.

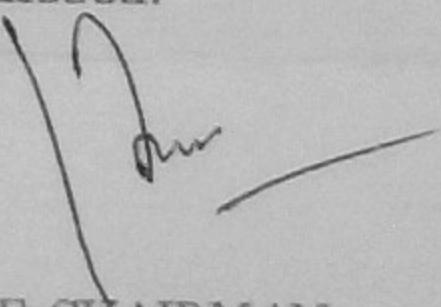
2. The applicant was allegedly inducted as casual labour in 1973 but was discontinued after some time. He knocked the door of this Tribunal by filing O.A No. 946/87, which this Tribunal allowed vide order dated 20.02.1992 giving direction to the authority concerned to re-engage the

applicant treating him as a continue^c)casual labour. The applicant was given re-appointment or was re-employed as casual labour. Later on, he was promoted to the cadre of clerk and is continuing as such. It appears that he made repeated representations one after to other asserting that his seniority should be reckoned from the date of his earlier induction as casual labour and he should have been given promotion as many of the juniors have already been given. Some of the representations were rejected by the authority concerned. He gave representation to Comptroller and Auditor General of India without routing the same through proper channel, which compelled the authorities to initiate disciplinary proceedings against him and ultimately he was punished.

Appeals and Revisions remain^e)unsuccessful. In the O.A, the applicant is praying for quashing of the order passed by the Revising Authority and also seeking a mandamus commanding the respondents to reckon his seniority from the date of his induction as casual labour.

3. We are of the view that it is not a fit case for interference by this Tribunal. What surprising is that the issue of seniority was not agitated soon after the authorities rejected it initially. The applicant appears to have ~~seized an~~ ^{the} opportunity to come to this Tribunal, only on passing ~~the~~ ^{the} orders by the Revising Authority. No doubt, in one of the paragraph of the order, the question of seniority has also been discussed. Accordingly, this O.A is not admitted for hearing and is dismissed.


MEMBER-A.


VICE-CHAIRMAN.