

CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

O.A. NO. 392/93

T.R. NO.

DATE OF DECISION 17.1.1995

Shri Kiranbhai G. Derasari **Petitioner**
and Ors.

Mr. R.K. Mishra **Advocate for the Petitioner (s)**

Versus

Central Board of Trustees **Respondent**
C.P.F. Commissioners & Ors.

Mr. Akil Kureishi for Res. Nos. 1&2 **Advocate for the Respondent (s)**

Mr. M.J. Thakore & Miss Megha Jani
for Res. Nos. 3 to 6 & Res. Nos. 72 to 98.

Mr. D.P. Kinariwala for Res. No. 7 to 71

Amended as
per Court's
Order dt. 22.2.95
in MA/121/95 & MA/81/95.

CORAM

The Hon'ble Mr. N.B. Patel, Vice Chairman

The Hon'ble Mr. K. Ramamoorthy, Member (A)

JUDGMENT

1. Whether Reporters of Local papers may be allowed to see the Judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgment ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

No.

1. Employees Provident Fund Staff
Union (through its Joint Secretary
Shri Kiran Gajendraprasad Derasari),
Employees Provident Fund Office,
Near Gandhi Bridge Corner,
Ashram Road, Ahmedabad-380 009.

Deleted vide
Court's order
dtd. 9.3.1995 in
MA/187/95.

2. Shri K.J.Sondharva
3. Shri R.S.Trivedi
4. Shri H.R.Shah
5. Shri A.A.Patel
6. Shri S.A.Solanki
7. Shri K.G.Vania
8. Shri Y.U.Raval, and
9. Shri C.K.Solanki
10. Kum.S.R.Desai
11. Smt.M.R.Balaria
12. Shri A.C.Aadav
13. Shri B.M.Pancholi
14. Smt.I.K.Patel
15. Shri R.M.Desai
16. Shri D.K.Brahmbhatt
17. Shri M.P.Mehta
18. Kum.L.O.Patel
19. Shri Shirish Nataverlal Shah
20. Shri V.M.Ramolia
21. Shri S.U.Rahwani
22. Shri G.D.Pathan
23. Smt.M.L.Joshi
24. Shri R.J.Parmar
25. Smt.N.H.Tahiliani
26. Shri A.S.Parmar
27. Smt.Purnima Rupchandra Singh
28. Shri A.K.Parmar
29. Smt.H.S.Naik
30. Shri J.V.Raval
31. Shri J.K.Christian
32. Shri J.G.Sarvaiya
33. Shri D.R.Shelat
34. Smt.N.Y.Dave
35. Smt.Gandhi
36. Shri R.J.Solanki
37. Smt.Rajnika B.Pandya
38. Shri L.K.Thakor
39. Shri N.N.Thakor
40. Smt.Varsha B.Dave
41. Shri M.R.Parmar
42. Shri V.R.Dave
43. Shri K.S.Parmar
44. Shri P.K.Parmar
45. Shri R.G.Shah
46. Shri J.U.Parmar
47. Smt.V.K.Vyas
48. Shri R.L.Parmar
49. Smt.Arati B.Shah
50. Shri R.M.Kargawal
51. Smt.M.H.Parmar
52. Shri V.J.Patil
53. Shri J.K.Yadav

54. Shri H.V.Parmar
 55. Shri P.C.Shah
 56. Shri K.M.Shah
 57. Smt.R.R. Makwana
 58. Smt.M.R.Christachuri
 59. Shri R.B.Vyas
 60. Shri D.B.Dave
 61. Kum.R.D.Patel
 62. Kum.B.J.Vyas
 63. Shri R.C.Gandas
 64. Smt.U.P.Joshi
 65. Smt.Y.A.Walimbe
 66. Shri G.U.Jadav
 67. Smt.Rekhaben U.Sheth
 68. Shri Somabhai R.Chavda
 69. Shri Kantilal S.Kalashua
 70. Kum.Purnendu S.Modi
 71. Smt.Indira P.Sagar
 72. Smt.Neeta A.Patel
 73. Shri K.S.Vaghela
 74. Shri K.P.Parmar
 75. Shri B.R.Solanki
 76. Shri K.M.Parmar
 77. Shri K.R.Iyengar
 78. Shri P.L.Dave
 79. Shri A.B.Shah
 80. Shri N.R.Gandhi
 81. Shri G.A.Parmar
 82. Shri D.J.Shah
 83. Shri I.J.Vankar
 84. Shri K.K.Damor
 85. Shri C.G.Shrimali
 86. Shri I.R.Chavda
 87. Shri D.P.Parmar
 88. Shri M.P.Parmar
 89. Shri S.S.Solanki
 90. Smt.N.B.Patel
 91. Mrs.U.M.Shah
 92. Smt.R.C.Patel
 93. Shri M.M.Shah
 94. Shri R.B.Jada
 95. Kum.S.S.Makwan
 96. Kum.J.M.Parmar
 97. Kum.K.D.Shah
 98. Kum.L.L.Ninama
 99. Kum.S.S.Rakshi
 100. Shri D.D.Parmar
 101. Smt.M.K.Balasubramuniam
 102. Shri R.S.Vaishya
 103. Smt.N.D.Mehta
 104. Smt.L.U.Thaker
 105. Smt.B.P.Mehta
 106. Shri U.B.Mehta
 107. Shri D.J.Shukla
 108. Shri S.A.Desai
 109. Smt.P.N.Chaudhari
 110. Shri H.M.Bamania
 111. Shri R.M.Patel
 112. Shri B.P.Tailor
 113. Shri P.R.Mehta
 114. Shri G.R.Thakkar
 115. Smt.C.R.Chaudhari
 116. Shri J.N.Upadhyay
 117. Shri K.P.Sukhadia
 118. Shri S.U.Godhole

- 119. Shri N.N.Shah
- 120. Shri E.B.Parmar
- 121. Shri R.B.Amin
- 122. Shri D.S.Desai
- 123. Shri S.D.Parya
- 124. Shri J.J.Trivedi
- 124. Smt.Lata K. Darji
- 125. Shri Jayant D.Ghate
- 127. Shri B.A.Solanki
- 128. Smt.D.M.Shah
- 129. Smt.R.S.Kapadia
- 130. Shri S.S.Thakar
- 131. Shri K.J.Thomas
- 132. Shri H.R.Oza
- 133. Shri H.A.Mehta
- 134. Smt.M.A.Kabani
- 135. Shri A.R.Adhvarya
- 136. Shri P.J.Kakkad
- 137. Shri N.G.Bhatt
- 138. Shri N.N.Shukla
- 139. Shri K.A.Saradva
- 140. Shri S.L.Mehta
- 141. Smt.R.J.Waghela
- 142. Shri A.S.Gharekhan
- 143. Shri H.G.Rathod
- 144. Shri V.S.Parmar
- 145. Shri V.B.Kakkad
- 146. Shri A.R.Mankad
- 147. Shri J.A.Budhadev
- 148. Shri S.G.Pandya
- 149. Shri C.P.Lunagaria
- 150. Shri V.D.Desai
- 151. Kum.M.M.Pandya
- 152. Smt.S.B.Pathan
- 153. Kum.R.C.Maharaja
- 154. Smt.P.D.Shukla
- 155. Smt.S.J.Jani
- 156. Shri R.M.Sutaria
- 157. Shri K.D.Parmar
- 158. Shri M.N.Shah
- 159. Smt.B.M.Rangwala
- 160. Shri N.H.Boder
- 161. Shri K.S.Purohit
- 162. Shri A.C.Parmar
- 163. Smt.R.B.Rathod
- 164. Shri K.B.Kadia
- 165. Smt.K.S.Vaghela

166. Shri M.R.Bhegore
167. Shri N.K.Ninama
168. Shri R.S.Jadav
169. Smt.C.R.Patel
170. Smt.D.K.Shah
171. Kum.S.R.Thakor

: Petitioners

All C/o.Office of the Regional
Provident Fund Commissioner,
Nr.Gandhi Bridge Corner,
Ashram Road, Ahmedabad.

(Advocate: Mr.R.K.Mishra)

Versus

1. The Central Board of Trustees
Through:
The Central Provident Fund
Commissioner), 9th Floor,
Mayur Bhavan, Connaught Circle
New Delhi.
2. The Regional Provident Fund
Commissioner, State of Gujarat
Office of the Employees Provident
Fund Organisation, Near Gandhi
Bridge Corner, Ashram Road,
Ahmedabad.
3. Mohamed Hussain Karim Hussain Khan
4. Kaushik Manubhai Agrawal
5. Ramakant Baldevbhai Patel
6. Jitendra Chandulal Patel
Nos.3 to 6 all of the Office of
the Regional Provident Fund Commi-
ssioner, Near Gandhi Bridge Corner,
Ashram Road,
Ahmedabad.

: Respondents

(Advocate: Mr.Akil Kureshi for Res.No.1 & 2
Mr.M.J.Thakore & Miss.Megha Jani
for Res.No.3 to 6).

7. D.C.Patel
8. M.G.Naik
9. M.H.Dave
10. J.G.Patel
11. C.S.Bhatt
12. B.C.Desai
13. H.H.Pathak
14. K.Ravindrana
15. H.G.Tailor
16. P.N.Gandhi
17. H.D.Desai
18. K.R.Upadhyaya
19. K.U.Upadhyaya
20. R.K.Parekh
21. V.L.Jani
22. M.K.Joshi
23. G.S.Bhatt
24. N.R.Chauhan
25. J.P.Bhavsar
26. A.K.Patel
27. F.A.Tirmizi
28. Smt. R.Lalchandani
29. H.R.Vyas
30. S.K.Sumra
31. B.P.Pancholi
32. Kum.U.B.Jani
33. U.J.Bhatt
34. P.Kumari
35. M.P.Khatri
36. A.I.Momin
37. Smt. R.S.Desai
38. V.T.Jivatani
39. Smt. F.M.Shaikh
40. B.B.Chavda
41. Kum.A.I.Chanchalni
42. M.I.Shah
43. R.N.Shah
44. Smt. Vidya Krishnan
45. D.B.Vadvala
46. H.B.Trivedi
47. Smt. K.J.Shah
48. P.R.Shastri
49. S.B.Makwana
50. A.S.Parmar
51. Smt. K.K.Desai
52. V.P.Vyas
53. U.R.Shah
54. Smt. S.L.Rajput
55. M.B.Parmar
56. G.P.Pujari
57. Smt. H.R.Bhatt
58. J.A.Dave
59. R.B.Patel
60. S.L.Makeja

: 5(b) :

61. S.A.Chavda
62. Smt.Anita Venugopal
63. P.S.Panikar
64. P.C.Valand
65. J.P.Meva
66. K.K.Pandya
67. N.A.Solanki
68. C.N.Chauhan
69. R.U.Thakkar
70. S.P.Patel
71. G.S.Parmar
72. G.S.Chauhan
73. S.K.Pillai
74. Smt.Aliyama Philip
75. M.M.Mansuri
76. M.J.D'Souza
77. Shah Harsha S.
78. A.I.Momin
79. R.R.Shah
80. V.H.Bajaj
81. A.M.Shaikh
82. Jayesh B.Shah
83. A.A.Gandhi
84. N.L.Christi
85. J.K.Ramparya
86. S.A.Dave
87. J.K.Chudasama
88. C.K.Bhatiya
89. C.K.Modi
90. R.B.Trivedi
91. Patil N.A.
92. H.N.Kantawala
93. Kum.J.M.Jagrit
94. D.J.Jadav
95. A.J.Raval
96. P.V.Parmar
97. D.K.Karamchandani
98. J.P.Meva

: Respondents

(3 to 98 all of the Office of the
Regional Provident Fund Commissioner
Near Gandhi Bridge, Corner, Ashram Road,
Ahmedabad.

(Advocate: Mr.Akil Kureshi for Respondent
Nos. 1 & 2.

Mr.D.P.Kinariwala for Respondent
Nos.7 to 71

Mr.M.J.Thakore & Miss Megha Jani for
Res.Nos. 3 to 6 and Res.Nos. 72 to 98).

Respondent
Nos.7 to 98 added
as per Court's
order dtd. 22.2.95
in MA 121/95 &
MA No.81/95 respectively.

BS ~

JUDGMENT

O.A./392/93

Date: 17-1-1995

Per: Hon'ble Mr.N.B.Patel

: Vice Chairman

This case relates to an issue pertaining to the principles to govern the placement of a particular person in the seniority list. The facts of the case are as under:-

2. The applicants belong to the office of the Regional Provident Fund Commissioner. They were recruited as L.D.Cs. and the question relates to their fixing of seniority in the cadre of U.D.C. to which the applicants have been promoted. At the time of the petition, the posts of U.D.Cs. were filled in from the cadre of L.D.Cs. by two channels. One channel of promotion was by way of promotion according to the seniority. This covered 50% promotions. For the other 50% posts of the U.D.Cs., promotion was made from the cadre of L.D.Cs. but through a limited departmental examination and limited to the employees of the office of the Provident Fund Commissioner as L.D.Cs. It is admitted that the limited departmental test was not conducted regularly and to meet the exigencies of office, the L.D.Cs. were also promoted even to cover the posts when the applicants were not available from the stream of the limited departmental test.

3. The very same controversy which was the subject matter of TA/556/86 (Mohinder's case) before the

Chandigarh Bench of the Tribunal and also before the Full Bench of the Tribunal in Ashok Mehta's case decided on 5.2.1993 and reported in 1993 (2) AISLJ at page 47 as also in Gupta's case in O.A.147/88 decided by Full Bench of the Tribunal on 7.8.1989. This controversy pertains to the fixation of seniority of two groups of promotees to the cadre of UDC belonging to the office of the Regional Provident Fund Commissioner. The cadre is not a regionwise cadre and we are concerned with the cadre of UDCs of the Gujarat region.

4. Since we have the Full Bench decision in the case of ~~Ashok Mehta~~ on 5.2.1993, wherein a reference is made to Full Bench decision in Gupta's case decided by another Full Bench on 7.8.1989, it may be advantageous to refer to the Full Bench decision in Ashok Mehta's case. The Full Bench in that case has first referred to the entry at Sr.No.8 relating to promotion to the post of Upper Division Clerks appearing in the third schedule to the employees' provident Fund (Staff and Conditions of Service) Regulations, 1962. The Full Bench has pointed out that the feeder category for both the posts of promotion is the same viz. LDCs., Steno-typists, Telephone or Telex Operators in the Regional Office. Whereas 50% of the posts of UDCs are required to be filled up by promotion on the basis of seniority subject to the rejection of the unfit, the other 50% of the posts of UDCs are required to be filled up by promotion on the result of a competitive examination. It may be clarified that this was the

position regarding recruitment to the cadre of Upper Division Clerks by promotion at the relevant time though, subsequently, there is some amendment in November, 1984 with which we are not concerned in the present case.

5. In Ashok Mehta's case, the Full Bench has referred to "the Seniority Rules" which were issued by an order dated 1.11.1962. The propositions which the Full Bench has clearly laid down in the context of these provisions are:-

- (1) Persons promoted on the result of a competitive examination conducted in accordance with the Rules cannot be regarded as direct recruits.
- (2) None of the clauses of the Seniority Rule, 6 deals with determination of a combined seniority list integrating persons promoted by two different modes of promotion i.e. on the basis of seniority subject to the rejection of the unfit and on the result of a competitive examination. There was no other provision brought to the notice of the Full Bench which required the preparation of a combined seniority list of persons promoted to the cadre of UDCs by the aforesaid two different modes of promotion. Thus, there being absence of any Rule determining seniority among the persons promoted from two different groups, the more equitable way of preparing the combined gradation list would be to take the total length of service in the common grade as the

basis for determining inter se seniority. This means that if an LDC is promoted after the DPC has found him fit for promotion, that period should count for seniority even if the promotion has been described as adhoc or temporary or officiating. It is clarified that the period during which the employee had been promoted on an adhoc basis by way of stop-gap arrangement dehors the Recruitment Rules, will have to be ignored. Thus, so far as promotees from the cadre of LDCs are concerned, it is only that period of their service in the cadre of UDCs during which the LDC had been promoted on an ad hoc basis by way of stop-gap arrangement dehors the Recruitment Rules which will have to be excluded.

6. While summarising their conclusions, the Full Bench has clearly laid down that the rota quota principle of seniority is not applicable for determining seniority to the cadre of UDCs in the context of the relevant Rules.

7. The controversy in the present case has arisen because quite a number of persons were promoted from the cadre of LDCs to the cadre of UDCs, not on the basis of competitive examination but on the basis of their seniority. It may also be true that promotions were granted to seniority group LDCs because at the relevant time examinee candidates were not available for such promotions. It may also be true that in the orders promoting such seniority group LDCs it might

have been stated that their promotions were adhoc. It appears that the entire length of the so-called ad hoc service of such persons in the cadre of UDCs is excluded from consideration while fixing inter se seniority of promotees and examinees. It appears that the question whether ad hoc promotions for such persons were purely on stop-gap arrangements and were otherwise than in accordance with the Rules was not considered while fixing the inter se seniority between the seniority group candidates and the examinee group candidates. Actually the aforesaid decision of the Full Bench in Ashok Mehta's case required this question to be considered and it was only that part of the adhoc service in the cadre of UDCs that was required to be excluded from consideration which was purely by way of stop-gap arrangement and dehors the Recruitment Rules. The Full Bench in Ashok Mehta's case has referred, with approval, to the Full Bench decision in Gupta's case which would clearly show that it was only that length of adhoc service in which ad hoc promotions were given by way of stop-gap arrangement and otherwise than in accordance with the Rules that was to be excluded from consideration. On behalf of the Department and the examinee group candidates, it was contended that since the 50:50 ratio for promotion to the cadre of UDCs from the cadre of LDCs was not maintained, it must be held that promotions given to seniority group candidates against vacancies meant for examinee group candidates were not in accordance with the Rules or were dehors the Recruitment Rules. We are not inclined to accept this contention because

we are of the opinion that when it is laid down by the Full Bench in Gupta's case that adhoc promotion which is not in accordance with the Recruitment Rules has to be excluded from consideration, the reference is not to the provision laying down the proportion in which promotions are to be given to the two groups. We are clearly of the opinion that the reference here is to the other requirement of the Recruitment Rules such as the eligibility of a candidate, the assessment of his fitness for promotion by a DPC which has assessed the suitability of the candidates in a regular way i.e. as if the promotions were to be given on a regular basis and not on an adhoc basis. In the present case, we do not know whether the concerned seniority group candidates were subjected to rigorous assessment as would be applied if promotions were to be given on regular basis and not merely on adhoc basis. If the assessment of their case had been in the same manner as is made when promotions are decided to be given on regular basis, there is no reason why the length of their service in the promotion post of LDCs should be excluded from consideration while fixing their seniority inter se with the examinee group, even though the promotions might have been described as adhoc promotions.

8. It was contended before us that the Full Bench decision in Ashok Mehta's case was per incuriam inasmuch as the attention of the Full Bench was not invited to the Supreme Court's decision in Awadh Prasad Singh & Others vs. State of Bihar and Others reported in (1990) 3 SC 294 decided on 27.3.1990. We do not find it possible to accept this contention

because the facts in the case of Awadh Prasad Singh and Others are clearly distinguishable from the facts of the present case. The question in Awadh Prasad and Others was relating to the seniority in the cadre of Inspector of Excise promotion to which cadre was to be made from two sources namely; (i) the Sub-Inspectors of Excise and (ii) the Upper Division Assistants and confirmed Head Clerks of the Excise. Thus, these two sources of promotion to the post of Inspector of Excise were clearly distinct inasmuch as one source was from the cadre of Sub-Inspector of Excise whereas another source from a different cadre, namely, the cadre of Upper Division Assistants and confirmed Head Clerks. The first source namely, the Sub-Inspector of Excise was held to be a direct recruitment source, whereas the second source was described as by way of promotion. In any event, the two sources or two groups from which promotion to the post of Inspector of Excise was to be made, were clearly distinct unlike in the present case where both the sources namely; seniority group and examinee group belong to the same cadre namely; the cadre of LDCs., Steno-typists, Telephone or Telex Operators. In our case, promotions to the post of UDCs are not from two different cadres as was the case before the Supreme Court in Awadh Prasad Singh & Others wherein promotions were from two different distinct cadres namely Sub-Inspector of Excise and Upper Division Assistants, etc. Furthermore, the Supreme Court's order, as explained by the Full Bench in Ashok Mehta's case, deals specifically with the Rules applicable to this case and, therefore, the decision in Ashok Mehta's case is binding to this Tribunal.

9. The decision of the Supreme Court in Keshav Chandra Joshi and Others vs. Union of India and Others (AIR 1991 SC 284) is also not applicable to the present case because that was again relating to fixation of seniority between direct recruits ^{properly} ~~probably~~ so-called and promotees. In our case, the Full Benches both in Gupta's case and in Ashok Mehta's case have clearly laid down, in the context of the relevant provisions applicable to our case, that there is no element of direct recruitment in the case of promotion to the post of UDCs in the office of the Regional Provident Fund Commissioner. It is very clearly stated that UDCs in the Regional Provident Fund Commissioner's Office promoted on the result of a competitive examination conducted in accordance with the Rules cannot be regarded as direct recruits.

10. On behalf of the seniority group UDCs who have filed the present O.A., it was contended by Shri R.K. Mishra that, earlier seniority list counting the entire adhoc service of the promotee group persons was prepared pursuant to a decision of the City Civil Court, Ahmedabad against which an appeal to the High Court was filed but was dismissed and the said judgment ^{having} ~~have been~~ achieved finality, that earlier list giving full credit to the promotee group persons for the entire length of their adhoc service could not have been altered by the Department. We are not persuaded to accept this contention

wholly, firstly, because the examinee group candidates were not made parties to the Civil Suit filed before the Civil Court and, secondly, because the entire list prepared pursuant to the Civil Court's judgment cannot be upheld. The reason for taking this view is that the judgment of the Civil Court has also now to be implemented ^{as} explained by the Full Bench in Ashok Mehta's case following the observations made by the Supreme Court while rejecting the SLP against the Chandigarh Bench decision in Mohinder Kumar's case. We would only say that the seniority list should not now be disturbed only in respect of those persons who have been further promoted from the cadre of UDCs on the basis of their seniority in the said seniority list. So far as the remaining part of the seniority list is concerned, there is no reason why it should not be recast in accordance with the judgment of the Full Bench in Ashok Mehta's case.

11. In the result, therefore, we dispose of the present O.A. with the following directions:-

- (1) In respect of each seniority group adhoc promotee, the department must ascertain:
(1) whether there was regular vacancy (regardless of the question whether such vacancy belonged to the seniority group or the examinee group) at the time when the concerned seniority group LDC was promoted to the cadre of UDC, (2) whether such promotee was selected by the DPC by conducting the same procedure as in the case of regular selection for promotion to the cadre of UDCs, and (3) whether such ad hoc promotees from seniority group fulfilled ^{all} eligibility criteria under the Recruitment Rules.

(2) If it is found that the promotion of any seniority group UDC was not just by way of stop-gap arrangement but there was a clear vacancy and if it is further found that promotion was given after regular or usual assessment by the DPC as if the promotion was to be given on a regular basis (and not merely on adhoc basis), the length of service of such seniority group ^{periyonds} ~~of DPC~~ in the cadre of UDC should be taken into consideration while fixing inter se seniority of the two groups regardless of the question whether the promotion was described as ad hoc.

(3) The respondents are directed to publish a revised seniority list in the light of what is held above after first publishing a provisional or tentative seniority list showing the above details in respect of each seniority group ^{promotee} and giving opportunity to all concerned persons to make a representation, if he feels that he is not properly ranked on the tentative seniority list. The seniority list will be finalised after considering the representations, if any, which may be received against the tentative seniority list. The respondents are directed to complete the entire exercise within a period of four months after the receipt of a copy of this judgment. So far as further promotions from the cadre of the UDCs are concerned, the respondents are free to issue promotion orders on the basis of the seniority list impugned in the present O.A. but it should be made clear in the promotion orders that such promotions are given on purely adhoc basis and subject to the final seniority list as also subject to the final decision

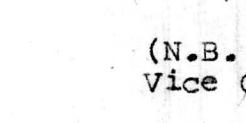
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of the Supreme Court in any case involving
the same question if pending with the Supreme
Court in any such case which may hereafter
be filed before the Supreme Court.

No order as to costs.


(K.Ramamoorthy)
Member (A)


(N.B.Patel)
Vice Chairman

| Date | Office Report | ORDER |
|---------|---------------|---|
| 27.9.95 | | <p><u>M.A.602/95</u></p> <p>Heard Mr. Kureshi and Mr. Mishra. There is no dispute about the fact that the process to implement the judgment is already started. Looking to the number of objections etc. received, we are convinced that this is a fit case where extension of time to comply with the judgment should be granted. Accordingly M.A. is allowed and time to comply with the judgment ^{is} extended till 30th November, 1995. M.A. stands disposed of accordingly.</p> <p><u>M.A. 603/95</u></p> <p>Mr. Mishra does not press this M.A. as the department has been given extension till the end of November 1995 to comply with the judgment. M.A. stands disposed of accordingly.</p> <p></p> <p>(V.Radhakrishnan) Member (A)</p> <p></p> <p>(N.B. Patel) Vice Chairman</p> <p>vte.</p> |
| 8-1-96 | | <p>Reply filed by Mr. Trivedi taken on record.</p> <p>Adjourned to 29-1-96.</p> <p></p> <p>(V.Radhakrishnan) Member (A)</p> <p>AS*</p> |

| Date | Office Report | ORDER |
|---------|---------------|--|
| 29.1.96 | | <p><u>M.A. 847/95 in O.A. 392/93</u></p> <p>stick note filed by Mr. Trivedi.</p> <p>Adjourned to 12.2.1996.</p> <p></p> <p>(V. Radhakrishnan) Member(A)</p> <p>vtc.</p> |

| Date | Office Report | ORDER |
|-----------|---------------|---|
| 12-2-96 | | <p><u>MA 847/95 in OA 392/93</u></p> <p>Being a Division Bench matter, adjourned 26-2-96 to 14-3-96.</p> <p><i>[Signature]</i></p> <p>(V.Radhakrishnan) Member (A)</p> |
| 26-2-1996 | | <p>Mr. Mishra is not present. At the joint request of Mr. K.K.Shah and Mr. Vin adjourned to 11-3-1996.</p> <p>(V. Radhakrishnan) Member (A)</p> <p>(N.B. Patel) Vice Chairman</p> <p>*AS.</p> |
| 26-2-1996 | | <p>Adjourned to 12-3-1996.</p> <p><i>[Signature]</i></p> <p>(V.Radhakrishnan) Member (A)</p> <p><i>[Signature]</i></p> <p>(N.B. Patel) Vice Chairman.</p> <p>*AS.</p> |

| Date | Office Report | ORDER |
|---------|---------------|---|
| 12.3.96 | | <p>Mr.Trivedi who is present states that the judgement is complied with by publication of seniority list dated 29th January 1996. There is, no doubt, delay in implementing the judgement but looking to the complexity of the matter we find that this is a fit case for granting ex-post facto extension till 29.1.96. M.A. is accordingly allowed. No costs.</p> <p><i>[Signature]</i></p> <p>(V.Radhakrishnan) Member (A)</p> <p><i>[Signature]</i></p> <p>(N.B.Patel) Vice Chairman</p> <p>PMR</p> |

CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

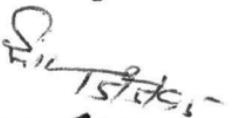
Application No. 04/392/93 of
Transfer Application No. _____ of

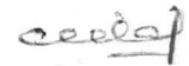
CERTIFICATE

Certified that no further action is required to be taken and
the case is fit for consignment to the Record Room (Decided).

Dated : 13.05.95

Countersign :


Section Officer.


Signature of the Dealing
Assistant

AT AHMEDABAD BENCH

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