

Order dated 1.8.2001

In this Original Application the petitioner has prayed for quashing the seniority list and/or correctly assign his position in the seniority list. The matter was heard in part. Shri Ashok Mohanty, learned senior counsel appearing for the Respondents submitted that on the basis of the principles decided by the Full Bench of the Tribunal in the case of G.Rajendran & Ors. vs. R.P.F. Commissioner, Tamil Nadu, the Addl. Central Provident Fund Commissioner, in his letter dated 23rd May, 2001 has directed all the Regional Provident Fund Commissioners to refix the seniority in the cadres of L.D.Cs, U.D.Cs and Section Supervisors.

We have heard Shri K.C.Kanungo, learned counsel for the petitioner, and Shri Ashok Mohanty, learned senior counsel for the respondents, and Shri S.N.Mishra, learned counsel for Res. 3.

It is submitted by Shri Kanungo that in view of the letter dated 23.5.2001 of the Addl. Central Provident Fund Commissioner addressed to all Regional Provident Fund Commissioners, the applicant does not intend to pursue this O.A. as he expects that the relief prayed for by him in this O.A. will be granted by the departmental authorities. He, however, prays for granting him liberty to file another O.A., if any, in case his grievances are not redressed by the departmental authorities. In view of this, the O.A. is disposed of for not being pressed, leaving liberty to the petitioner to approach the Tribunal if he feels aggrieved after his seniority was determined by the departmental authorities in accordance with law. No costs.

MEMBER (JUDICIAL)

*Om Prakash*  
VICE-CHAIRMAN  
*11/8/01*