

3
O.A. No. 286 / 798

ORDER DATED 1st AUGUST, 2008

Coram:

Hon'ble Mr. Justice K. Thankappan, Member (J)

Hon'ble Mr. C.R. Mohapatra, Member (A)

The question now raised before this Tribunal is relating to the inter-se seniority of the applicant and some other employees. Relying on earlier seniority list the applicant submits that he is senior to some officers as evident from the seniority list published and there arise confusion regarding the experience and the standing of the applicant and that confusion has been already cleared by the Committee after examining all the matters in detail and thereafter the seniority of the applicant along with two others have been upheld. If so, we are of the view that the order now canceling the promotion and the appointment given to the applicant is irregular.

3. Hence we are admitting the Original Application and issuing notice to the Respondents, returnable within 04 weeks and counter if any shall be filed 03 weeks therefrom.

4. In the meanwhile as the order impugned in Annexure-A/19 being detrimental to the applicant, there will be an ad interim stay of the operation of the order for a period of one month.

Copy of this order be given to Ld. Counsel for either side.

Thankappan
Member (J)

Thankappan
MEMBER (J)