

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JODHPUR BENCH: JODHPUR.

O.A. No. 170/98

Date of Order: 16.7.1998

A.P. Bhandari s/o Shri N.K. Bhandari, resident of C/o House No. 54, Jawahar Colony, Sardar Club, Jodhpur, at present employed on the post of Asst. Defence Estate Officer, Office of ADEO, 61, Old Public Park, Umed Club Road, Jodhpur.

... Applicant

VERSUS

1. Union of India through Secretary to the Government of India, Ministry of Defence, Raksha Bhawan, New Delhi.
2. Director General, Defence Estate (Adm.), Ministry of Defence, West Block IV, R.K. Puram, New Delhi-110066.
3. Shri K.L. Verma, ADEO, C/o Defence Estate Office, Northern Command Near Chinar Canteen, Udhampur (J&K).
4. R.K. Kapur, ADEO, C/o Director General, Defence Estate, Ministry of Defence, West Block IV, R.K. Puram, New Delhi-110066.
5. Shri Jayant Pal ADEO, C/o Director General, Defence Estate (Adm.), Ministry of Defence, West Block IV, R.K. Puram, New Delhi-110066
6. Shri S.N. Banerjee, ADEO, C/o Defence Estate Officer, CGO Complex, Sector-9, Chandigarh.

... Respondents

Mr. J.K. Kaushik, Counsel for the applicant.

CORAM

Hon'ble Mr. Gopal Krishna, Vice Chairman

Hon'ble Mr. Gopal Singh, Administrative Member

O R D E R

Per Hon'ble Mr. Gopal Krishna

Applicant, A.P. Bhandari, has filed this application under Section 19 of the Administrative Tribunals Act, 1985, praying therein that the respondents No. 1 and 2 be directed to assign seniority to him above respondents No. 3 to 6 and the impugned seniority list be modified accordingly and consequential benefits including consideration for

promotion for the post of JTS be extended to him.

2. We have heard the learned counsel for applicant and have considered the material on record.

3. Applicant is presently holding the post of Assistant Defence Estate Officer in group 'B' scale Rs.2000-3500. He was promoted to the said post on ad hoc basis for a period of six months. His terms was extended from time to time. The respondent No. 2 had issued an order dated 16.12.1993 by which the applicant has been promoted on regular basis with immediate effect. The applicant is aggrieved by the seniority list which was issued on 1.3.1994 vide Annexure A/1 since his name has been shown at Sl. No. 24 and the names of the respondents 3, 4, 5 and 6 have been shown above him. Our attention has been drawn to the representation made by the applicant on 13.4.1994 vide Annexure A/9 which, the learned counsel for the applicant submits, is still pending consideration.

4. In the circumstances, we dispose of this application with a direction to respondent No. 1 to decide the applicant's representation Annexure A/9 dated 13.4.1994 within four months from the date of receipt of a copy of this order through a detailed speaking order on merits. Applicant may file a fresh O.A. in case he is aggrieved by any decision taken on the representation. Let a copy of the O.A. and the annexures thereto be sent to the respondent No. 1 alongwith a copy of this order.

*Gopal Singh*

(Gopal Singh)

Administrative Member

*Gopal Krishna*

(Gopal Krishna)

Vice Chairman

Aviator/