

D8

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH : JODHPUR.

Date of Decision : 14.01.2002

O.A No. 199/1999.

Dharam Pal son of Shri Ram Kumar, aged about 34 years, resident of Surjeet Singh Colony, Sector B, House No. 217/12, Sriganganagar, at present employed on the post of Electrician SK, in the office of G E, MES, Sriganganagar.

... APPLICANT.

versus

1. Union of India through Secretary to Govt. of India, Min. Of Defence, Raksha Bhawan, New Delhi.
2. HQRS. Chief Engineer, Bathinda Zone, Bathinda, Mil. Station.
3. Commandar Works Engineer, Sriganganagar District Driganganagar.
4. Shri Trivender Singh, Elect H S-I, Office of the MES, C.E. Sriganganagar.

... RESPONDENTS.

Mr. J.K. Kaushik counsel for the applicant.
Mr. S.K. Vyas, counsel for respondent No. 1 to 3.
Mr. Vijay Mehta, counsel for respondent No. 4.

CORAM

Hon'ble Mr. Justice O.P. Garg, Vice Chairman.
Hon'ble Mr. A.P. Nagrath, Administrative Member.

: ORDER :

(per Hon'ble Mr. Justice O.P. Garg)

The applicant Mr. Dharam Pal, claiming himself to be the senior to respondent No. 4, Mr. Trivender Singh, has filed the present Original Application under Section 19 of the Administrative Tribunals Act, 1985, praying for the following relief. :-

* (i). That the respondents No. 2 may be directed to decide the matter of promotions referred



to be by the 3rd respondent vide letter dated 24.07.98
forthwith and further the respondents No. 1 to 3
may be directed to consider the case of applicant
for promotions to the post of Electrician HS-II
and I as per his seniority/tern and allow all
consequential benefits at par with his next junior.



(ii) That any other direction, or orders may be
passed in favour of the applicant which may be
deemed just and proper under the facts and
circumstances of this case in the interest of
justice.

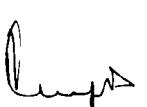
(iii) That the costs of this application may be
awarded."

2. Separate replies have been filed by the respondents.

We have heard Shri J.K. Kaushik, learned counsel for the
applicant as well as Mr. S.K. Vyas, learned counsel for
respondent No. 1 to 3 and Mr. Vijay Mehta, learned counsel
for the private respondent No. 4.

3. After having heard the learned counsel for the
parties and taken into consideration the documents brought
on record, we find that respondent No. 4 is senior to
the applicant. It appears that the applicant, under
some misconception of facts ~~W~~ has claimed seniority
over respondent No. 4. Since the applicant is junior
to the respondent No. 4, he is not entitled to the relief
as prayed for. Shri J.K. Kaushik, appearing on behalf
of the applicant is not in a position to support the
various averments made by the applicant in the Original
Application.

4. Since the Original Application is devoid of any
merit and substance, it is accordingly dismissed without
any order as to costs.


(A.P. NAGRATH)
Adm. Member


(JUSTICE O.P. GARG)
Vice Chairman

Received

Dr. Gaurav

18/1/2002

R. Gaurav
18/1/2002

Part II and III destroyed
in my presence on 20.6.07
under the supervision of
Section Officer (j) as per
order dated 14.1.2002

Section Officer (Record)

R. Gaurav