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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 SR, in the office of G E, MES, Sriganganagar.

... APPLICANT.

v e r s u s

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, G.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.

: O R D E R :

(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 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/term 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 ~~xx~~ 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. [unclear]

18/1/2002

R. C. [unclear]
18/1

Part II and III destroyed
in my presence on 20.6.02
under the supervision of
section officer [unclear] as per
order dated 14.5.02

Section officer (Record)

18/1