

**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR**

Original Application No. 506/2013

Jodhpur, this the 5th day of April, 2016

CORAM

Hon'ble Dr. K.B.Suresh, Judicial Member

Hon'ble Ms Praveen Mahajan, Admn. Member

Nand Kishor Dagar, S/o Late Shri Shankar Lalji Dagar, Aged about 47 years, b/c – SC, R/o H.No. 3-G-11, Kuri Housing Board, Basani-I, Jodhpur (Office Address :- Working as Section Officer CAT, Jodhpur)

.....Applicant

By Advocate: Mr S.P. Singh

Versus

1. Union of India through the Secretary, Government of India, Ministry of Personnel, Public Grievances and Pensions, Deptt. of Personnel & Training, North Block, (DOPT), New Delhi – 110 001.
2. The Principal Registrar, CAT, 61/65, Copernicus Marg, New Delhi.
3. The Registrar, Central Administrative Tribunal, Jodhpur, Near Rajasthan High Court Campus, Jodhpur.
4. G.D. Birla, Retired SO, Plot No. 514, 4th & 5th B Road, Sardarpura, Jodhpur.

.....Respondents

Respondents No. 1 to 3 by Advocate : Mr K.S. Yadav.

None present for respondent No. 4.

ORDER (Oral)

Per Dr K.B. Suresh

Heard.



2. The question of seniority may depend on any external factors at work, accelerated promotion is one of them but once it is granted the seniority is established and it becomes an accomplished fact. That being so, Annex. A/1 has no longer a life to run it is hereby quashed and respondents are directed to reconsider the case on the premise set earlier and pass appropriate order.

2. The crucial issue to be reconsidered is that whether the 17 years' more service of the party-respondent has any effect and explaining this a speaking order be passed. In some circumstances a junior in rank may be senior in service and they earn more pay. But Annex. A, is silent about all this issue though mentioned in the reply. The decision any taken must reflect elements of issues in it fully and expressively. The OA is thus allowed for a fresh consideration and passing an appropriate speaking order within 02 months next. No costs.


[Praveen Mahajan]
Administrative Member


[Dr. K.B. Suresh]
Judicial Member