

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

No. OA 1277 of 97

Date of order : 16.12.2004

Present : Hon'ble Mr. Mukesh Kumar Gupta. Judicial Member
Hon'ble Mr. M.K. Mishra. Administrative Member

A. K. MONDAL & ORS.

VS

UNION OF INDIA & ORS.

For the applicants : Mr. B.C. Sinha, counsel

For the respondents: Mr. K. Chakraborty, counsel

O R D E R (ORAL)

Mukesh Kumar Gupta. J.M.

Heard both sides and perused the pleadings. The applicants, three in number in the present application seek quashing of order dated 1.11.87 (Annexure A/2) as well as direction to respondents to publish inter se seniority of Direct Recruits and Promotees in the cadre of Asstt. Electric Drivers with consequential benefits. The applicants' grievance is that they were appointed as Asstt. Electric Drivers in the year 1991-92 and 11 candidates were nominated for promotional course training ignoring their claim despite the fact that they were senior to the said 11 candidates.

2. The respondents have disputed this contention and stated that in terms of para 303 of IREM Vol. I, 1989 Edition which deals with the determination of seniority, merit obtained in the examination is the criteria. It is further contended that Annexure A/1 & A/2 produced by the applicants do not bear any seal/signature and hence veracity and authenticity of the said two documents were disputed. It was further stated that the applicants' claim for the said post have not been superseded and the applicants were not senior to the said 11 candidates. The candidates who had been sent for initial course were regularly absorbed as Asstt. Electric Drivers against the working post after giving them necessary training and conducting final examination by the divisional competent authority.

3. We have heard both sides. The contention raised by the respondents in their reply have not been disputed by filing any