

**Central Administratve Tribunal , Lucknow Bench,
Lucknow**

Original Application No. 40/2005

THIS, THE 8th DAY OF SEPTEMBER 2005.

HON'BLE SHRI SHANKER RAJU MEMBER(J)

HON'BLE SHRI S.P.ARYA, MEMBER (A)

Pradeep Kumar Savita, aged about 30 years son of Late Shri Ram Ratan, ated present resident of - Type I/14, Akanksha Campur, sector, F, Jankipuram, Lucknw.

Applicant

By Advocate: Sri Umesh Srivastava for Shri Praveen Kumar.

Versus

1.Union of India through the Chairman, Central Administrative Tribunal, New Delhi.

2.The Registrar, Central Administrative Tribunal, New Delhi.

3.The Deputy Registrar, Central Administrative Tribunal, Luckmow. **Respondets.**

By Advocate Shri Deepak Shukla for Shri Prashant Kumar.
ORDER (ORAL)

BY HON'BLE SHRI SHANKER RAJU MEMBER (J)

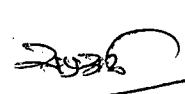
Applicant had made a request for change of his cadre from Chowkidar to Peon. His representation was disposed of on 3.8.2004 on the approval of the Chairman, CAT, stating that as there is no regular vacancy in the grade of peon, his request cannot be acceded to. Later on a vacancy had arisen on account of dismissal of an employee which has been filled up and it is stated that before that applicant had not

preferred any representation. In our considered view, once a representation has been preferred by the applicant and on this a decision has been taken not to accede to his request for want of regular vacancy, on accrual of regular vacancy, his case could have been considered.

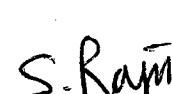
2. Be that as it may, as there is no regular vacancy in the grade of peon, this cannot be acceded to, which is justifiable.

3. In the light of the fact that applicant has already made a request, in the event a post of peon accrues in the CAT, Lucknow Bench, and if the applicant represents at the appropriate time, his claim for change of cadre would be considered.

4. With these observations O.A. stands disposed of. No costs.


(S.P. ARYA)

MEMBER (A)


(SHANKER RAJU)

MEMBER (J)