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CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH

LUCKNOW

O.A. No.61/91(L)

Shri B.B. Lal :::::::::: Applicant

Vs.

Union of India &
Others. :::::::::: Respondents.

Hon. Mr. Justice U.C. Srivastava, V.C.

Hon. Mr. K. Obayya, A.M.

(By Hon. Mr. Justice U.C. Srivastava, V.C.)

The applicant was appointed as Assistant Compiler in the Census Department on 1-4-72 and was promoted to the post of Computer and confirmed as such on 31-12-82. In the post of Computer he was regularised on the basis of the recommendation of D.P.C. On 15-9-84 he was reverted. This reversion order is under challenge, on the ground that the applicant has been reverted without giving any show cause notice and further he is a S.C. candidate and senior to many persons and no roster is maintained in the office. No interim order was granted in this case.

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2. The respondents have opposed the application and stated that while passing the impugned order the roster maintained for S.C. & S.T. was duly taken into account. He was reverted in accordance with the relevant rules. It appears that there was shrinkage in the work and retrenchment took place and the applicant holding a higher post and being a permanent employee, has been sent back to his substantive post. It is not the case of the applicant that any person junior to him is retained or not reverted and he is not singled out for the said purpose. Retrenchment has also taken place in the

department. No interim order was passed in this case. The reversion order was passed in the year 1984. In the meantime the applicant must have earned further promotion in view of the fact that the applicant is quite senior. In case he deserves promotion and has not been promoted so far he may be promoted taking into consideration the fact if any junior to him is promoted, the applicant shall also be promoted and also on the basis of roster if he is entitled for promotion, he shall not be passed over on any grounds. With these observations the application stands disposed of finally. No order as to the costs.


Member (A)


Vice-Chairman.

Dated: 15th March, 1993, Lucknow.

(tgk)