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THE CENTRAL ADMINISTRATIVE TRIBUNAL, LUCKNOW BENCH-LUCKNOW
T.A. NO. 66 of 1992.

R.K. Trivedi..... Applicant.

Versus

Union of India & others..... Respondents.

Hon'ble Mr. Justice U.C.Srivastava-V.C.
Hon'ble Mr. K. Obayya -A.M.

(By Hon'ble Mr. Justice U.C.Srivastava-V.C.)

The applicant by means of this application has sought relief for fixation of seniority correctly which was allegedly was not being given to him despite more than 30 written requests and reminders of personal request and contacts. As the juniors were illegally placed over his head and were getting further promotion with the result he was suffering a hard-ship and his career was spoiled and i.e. why he prayed that it may be declared that order dated 25.6.86 promoting the respondents to the post of Assistant along with order dated 15.4.87 to the post of Asstt. Superintendant, is illegal holding that he is entitled to be promoted to the said post and that the respondent no. 3 be directed to fix the seniority position of the applicant with the seniority list in accordance with the rules. It is also prayed that proforma fixation of his pay w.e.f. 1.1.1964 as well as promotion from time to time before respondent no. 4 was given the benefit of pay and allowance and the costs of petition be also awarded

2. The respondents have filed a short reply in which it has been stated that so far as relief D.E. are concerned, they are ^{primary} discretionary and so far as the relief A & B are concerned, the same have already been accorded and as such the application has become infructuous. In view of the fact that the relief A & B have been granted. Obviously the application

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becomes infructuous in respect of that relief.

3. So far as the proforma fixation is concerned undoubtedly this applicant is claiming w.e.f. 1.1.64. i.e. much before the Tribunal came into existence. But the applicant has been making representation after representations which are pending and accordingly the application is disposed of taking into consideration the grant of relief A & B as per statement made by the respondent that they will consider of his representation in respect of proforma fixation pay as well as promotion. w.e.f. 1.1.1964 will dispose of his representation in this behalf within a period of three months, notwithstanding the fact that this relief is not being granted in this application. The same is not being considered because of the pendency of the representations. The application shall stand disposed of finally.


Member (A)

Dt: August 27, 1992.

(DPS)


Vice Chairman.