

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,

MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION NO. 598/1992.

Tuesday, this the 2nd December, 1997.

Coram: Hon'ble Shri Justice R.G.Vaidyanatha, Vice-Chairman,
Hon'ble Shri P.P.Srivastava, Member(A).

Ms. Pradnya N.Kulkarni,
668, Kasba Peth,
"Narayan Niwas",
Poona - 411 011. ... Applicant.

(By Advocate Shri S.P.Saxena)

V/s.

1. The Union of India
through the Secretary,
Ministry of Defence,
Defence Headquarters P.O.
New Delhi - 110 011.
2. The Engineer-in-Chief,
Army Headquarters,
'Kashmir House',
New Delhi - 110 011.
3. The Chief Engineer,
Southern Command,
Poona - 411 001.
4. The Chief Engineer,
Poona Zone,
Poona - 411 001.
5. The Commander Works Engineer,
Naval Works,
Dr. Homi Bhabha Road, Colaba,
Bombay - 400 005. ... Respondents.

(By Advocate Shri R.K.Shetty).

O R D E R

(Per Shri Justice R.G.Vaidyanatha, Vice-Chairman)

This is an application filed by the applicant seeking an order of appointment and for fixation of seniority.

He has brought to our notice that by virtue of interim orders passed in this case the respondents considered the case of the applicant and appointed her

...2.



as Surveyor Assistant Grade-II on 30.3.1993 at Pune. Therefore, the main relief of the applicant has been conceded by the respondents in pursuance of the interim orders passed in this case.

2. The learned counsel for the applicant pressed that the applicant should be granted seniority from the date 2.12.1992 when her junior Mr. Rokde came to be appointed. But the learned counsel for the respondents submits that Mr. Rokde was appointed ~~xx~~ against an SC vacancy through Employment Exchange and therefore he is not a junior to the present applicant.

In this application Mr. Rokde is not a party, hence we cannot go into the grievance of the seniority position on the available materials on record. Since the applicant has got the main prayer of getting appointment, we feel that the application should be disposed of with liberty to the applicant to agitate the question of seniority by filing a fresh O.A. after impleading all the persons who are going to be affected.

3. With the above reasons, the O.A. is disposed of with the observation that the applicant's main prayer has been granted since she has been appointed during the pendency of this case and liberty is given to the applicant to agitate the question of seniority by filing a fresh O.A. and after impleading all the persons who are going to be affected on the question of seniority, if so advised. No costs.


(P.P. SRIVASTAVA)
MEMBER (A)


(R.G. VAIDYANATHA)
VICE-CHAIRMAN.

B.