

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH
JAIPUR.

T.A. No. 1952/86

Dt. of order: 26.7.93

S.P. Gupta

: Applicant

Vs.

Union of India & Ors. : Respondents

Mr. P. V. Calla : Counsel for applicant

None for the respondents.

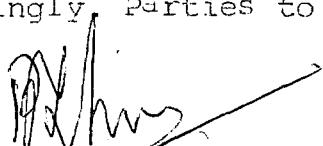
CORAM:

Hon'ble Mr. Justice D.L. Mehta, Vice Chairman

Hon'ble Mr. P.P. Srivastava, Member (Adm.)

PER HON'BLE MR. JUSTICE D.L. MEHTA, VICE CHAIRMAN.

Applicant has filed a suit in the Court of learned Munsif First, Bandikui and prayed therein that the order dated 10.5.82 be declared null and void and the respondents be restrained from reverting the applicant from the post which he is holding at the time of filing the suit. An application for grant of temporary injunction was also filed and originally the same was rejected, however, it was stated that the Appellate Authority granted the injunction order in favour of the applicant and the applicant continued to hold the post till the date of his retirement. Now the applicant had already worked on the post and he has attained superannuation on the post. He is entitled for the pensionary benefits as he has worked on the said post. The learned counsel for the applicant submits that his juniors were promoted during the intervening period therefore he should also be promoted during the intervening period. Neither such relief was prayed for in the suit nor any case ^{was made out} ~~an~~ pleading. In such circumstances no order can be passed in this matter. We have not decided the validity of the order dated 10.5.82. The T.A. is disposed of accordingly. Parties to bear their own costs.


(P.P. Srivastava)
Member (Adm.)


(D.L. Mehta)
Vice Chairman.