

IN THE CENTRAL ADMINISTRATIVE TRI BUNAL, JODHPUR BENCH.

T.A.No.2167/86

Date of Order: Jan.07,1988

Kanhaiyalal

....Petitioner

Mr.M.P.Sharma

....Advocate for petitioner

Versus

Union of India & ors

....Respondents

Mr.G.P.Soral

....Advocate for respondents.

....

CORAM:

Hon.Mr.B.S.Sekhon- Vice Chairman

Hon.Mr.G.C.Sinhvi- Adm.Member.

B.S. SEKHON

This order will dispose of plaintiff's Application filed under Order VI Rule 17 of the Civil Procedure Code. The plaintiff has requested for inserting the following paragraphs in the plaint by amendment:

(a) During the pendency of the suit, defendants prepared a seniority list No.D-1030/2/1/Survey & Cons. dated March 25, 1983 and the plaintiff was shown at serial No.149 in that list as senior clerk. The persons junior to him were promoted on ad hoc basis but they were not entitled for such promotion. The defendants caused great financial loss to the plaintiff by not considering his representations and discriminated his case.

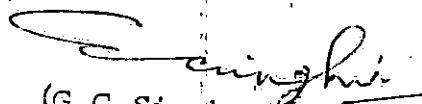
(b) "The promotion of junior persons on ad hoc basis without considering the case of plaintiff, is void and the plaintiff is entitled for promotion with retrospective effect, i.e. from the date his juniors were promoted."

We have heard arguments on the aforesaid application for amendment. The amendment sought

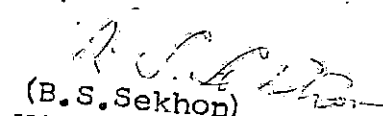
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does not seek to alter the cause of action or introduce a time barred claim. That apart, the law relating to amendment of the pleadings, being what it is, the application merits acceptance.

Consequently, the plaintiff is hereby allowed to amend the plaint as prayed for.


(G.C. Singhvi)
Adm. Member

7-1-88


(B.S. Sekhon)
Vice Chairman

7-1-88