

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR. 24

O.A.No.718/92

Dt. of order: 7.9.1994

Lala Ram & Ors.

: Applicants

Vs.

Union of India & Ors.

: Respondents

Mr.J.K.Kaushik

: Counsel for applicants

Mr.U.D.Sharma

: Counsel for respondents

CORAM:

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

Hon'ble Mr.O.P.Sharma, Member(Adm.)

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

Heard the learned counsel for the parties. The counsel for the applicants has invited our attention to Anxx.A9 dated 30.9.1987 by which promotions were given to 16 persons. His submission is that only 5 persons out of 16 have been reverted vide Anxx.A3 and rest of them are holding the post on ad hoc basis as mentioned in Anxx.A9 dated 30.9.1987. In para 8 of the application also the names of 12 persons find place as promoted on 10.9.1987. In the reply, nowhere it has been mentioned that they were promoted regularly or on ad hoc basis. The learned counsel for the respondents is also not in a position to make any submission on this point and argued that it was the duty of the applicants to show that they were ad hoc appointees. The learned counsel for the applicants has also invited our attention to Anxx. A-7 dated 10.9.'87 by which 53 persons ~~were~~ including the persons referred to in para 8 of the application have been promoted on ad hoc basis. The learned counsel for the respondents agrees to this extent that the order dated 30.9.'87 should be applied uniformly. This is a very reasoned submission and we direct that in case any person who was promoted prior to 3.11.1987 on ad hoc basis and has been retained thereafter, then the applicants should also be treated equally and their reversion orders should be quashed, and he should be allowed to hold the post like similarly situated persons are continuing, ^{and} The applicants shall be entitled for all consequential benefits. The respondents should decide the matter

within a period of 3 months from the date of the receipt of a copy of this order. With these directions, the O.A. is disposed of accordingly with no order as to costs.


(O.P. Sharma)
Member (A).


(D.L. Mehta)
Vice Chairman.