

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH

J A I P U R.

O.A. 913/89

Date of decision: 15.9.94

ALL INDIA SHOSHIT KARAMCHARIS
SANGH & ORS

- Applicants.

VERSUS

UNION OF INDIA & ORS

+ Respondents.

CORAM:

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

Hon'ble Ms. Usha Sen, Administrative Member

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

Mr. J.K. Kaushik submits that his clients have directed him not to argue this case. This type of direction cannot be given and particularly, when, they have already moved the court for the withdrawal of the case. ^{It is stated that} ^{However,} No such application has been moved. None present today.

2. Mr. Kaushik submits that the applicants in the said application have challenged the provisional seniority list dated 25.4.89 (Annexure A-1). The applicants cannot challenge the seniority list as it is provisional and objections have been invited. They can only challenge the seniority list after ^{consideration} ~~considering~~ of the objections. They should have submitted objections.

Apart from that we would like to make a specific reference that in the light of the judgment in the case of All India Shoshit Karamchari Sangh, W- Rly, Jaipur & Ors. Vs. Union of India & Ors (O.A. No. 796/89, decided today (15.9.94), the seniority list should be refixed ^{basis of} ~~on the~~ persons who have entered the higher grade earlier shall be entitled to be senior than the persons who have entered the higher grade at a later stage.

3. In the result, we do not find force in the O.A. and the same is dismissed, with no order as to costs.

U.S.
(U.SHA SEN)
Administrative Member

D.L. MEHTA
Vice-Chairman