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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH

J A I P U R.

O.A. 813/89

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

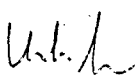
Hon'ble Ms. Usha Sen, Administrative Member


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 <sup>it is stated that</sup> they have already moved the court for the withdrawal of the case. <sup>However,</sup> 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 25.4.93 (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 <sup>consideration</sup> considering 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 <sup>basis of that</sup> 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.

  
( USHA SEN )  
Administrative Member

  
( D.L. MEHTA )  
Vice-Chairman