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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH  
AT HYDERABAD

Between: O.A.NO.1067/91

Date of Order: 15.2.95.

1) Mohd. Shafi

2) M.A.R.A. Farooqui  
And

...Applicant.

1. The General Manager,  
Security Printing Press,  
Mint Compound, Hyderabad.

2. Najeeruddin Ahmed

3. M. Venkateswarulu

4. G. Srinivasulu

5. S. Viswanatham

6. A. Narendar

7. K. Yadagiri

8. N. Prabhakara Raju

9. M. A. Khader

10. D. Ratnakar Rao

11. M. Butchaiah

12. D. Ganesh

13. S. Ranganathachary

14. R. Rameshchander

15. P. Srinivas

16. Peter Blecker

17. N. Rajamouli

18. P. Ramachandrai

19. R. Sudershan

20. V. Bhadrappa

21. Md. Imtiaz Ali

22. A. Muneedra Babu

23. B. Yugandar Raju

24. B. Lakshminarayana

25. J. Radhakrishna

...Respondents.

Counsel for the Applicant : Mr. K. Lakshminarasimham

Counsel for the Respondents : Mr. N. V. Raghava Reddy, Addl. CGSC.

CORAM:

THE HON'BLE SHRI A. V. HARIDASAN : MEMBER (J)

THE HON'BLE SHRI A. B. GORTHI : MEMBER (A)

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O.A.No.1067/91

Date of Order: 15.2.95

X As per Hon'ble Shri A.V.Haridasan, Member (Judl.) X

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The applicants and respondents 2 onwards were selected for appointment under the First respondent as E.F.C.C.II. Although the merit list was prepared in the year 1982 while the applicants were appointed on 23.10.82 in the pay scale Rs.225-308, the respondents 2 onwards were appointed much later. Since the respondents 2 onwards joined service later, in the provisional seniority list the applicants were placed above the respondents. On representation being made by the respondents 2 onwards projecting their grievance in regard to suppression of seniority for no fault of theirs, the first respondent issued a revised seniority list on 9.6.84 as on 1.6.84. The grievance of the applicants arose there from in as much as they have been shown below, respondents 2 onwards although they had commenced their service earlier than the respondents 2 onwards. The applicants have prayed that the respondents may be directed to recast the seniority list giving the applicants seniority over respondents 2-25.

2. The first respondent in the reply statement has contended that the seniority was reckoned giving respondents 2-25 above the applicants, because they were placed in the panel for selection above the applicants, though they were offered appointment long after the applicant joined service, owing to delay in verification of the character and antecedents since the late joining of the respondents 2-25 was not an account of any lapse on their part, on their representation as it was found that the order in the merit list and not the date of

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joining that should determine the interse seniority, the first respondent contends that the seniority was correctly revised. Therefore according to the first respondent, the applicants have no legitimate grievance.

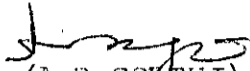
3. We have perused the entire pleadings as also the file relating to the selection and preparation of merit list for appointment of the applicants and respondents 2-25. We are convinced that the applicants 2-25 were placed above the respondents in the order of merit in the select list and that the late joining of respondents 2-25 was only due to the delay in issuing to them the offers of appointment. In Kamad Prakash Nigam Vs. Union of India and other reported in 1994 (28) ATC 628 Allahabad Bench of this Tribunal has held that the inordinate delay in issuing the offer of appointment to the selected candidates should not affect them adversely in the matter of seniority and that even if the appointment and consequent joining of the respective candidates were long after the date on which their juniors joined, the persons who occupied the higher place in the merit list should be given notional seniority above their seniors in the merit list. We are in the respectful agreement with the above view. As the applicants and the respondents 2-25 were selected and empanelled simultaneously and respondents 2-25 ranked higher in the merit list. The fact that the first respondent was issued offers of appointment to respondents 2 to 25 belatedly should not affect the seniority. Therefore the first respondent acted justly in rectifying the anomaly and restoring the seniority of respondents 2 to 25 above the applicants. In the above facts and circumstances,


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we find no merit in this application and the same is therefore dismissed without any order as to costs.

  
(A.B. GOKTHI)  
Member (Admn.)

  
(A.V. HARIDASAN)  
Member (Judl.)

Dated: 15th February, 1995

(Dictated in Open Court)

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DEPUTY REGISTRAR(J)

To

1. The General Manager,  
Security Printing Press,  
Mint Compound, Hyderabad.
2. One copy to Mr.K.Lakshminarasimham,  
Advocate,CAT,Hyderabad.
3. One copy to Mr.N.V.Raghava Reddy,Addl.CGSC.  
CAT,Hyderabad.
4. One copy to Library,CAT,Hyderabad.
5. One spare copy.

YLKR

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21/3/95  
74/2000

COMPARED BY  
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH

THE HON'BLE MR.A.V.HARIDASAN : MEMBER (J)

AND

THE HON'BLE MR.A.B.GORTHI : MEMBER (A)

DATED : 15.2.95

ORDER/JUDGEMENT.

M.A/R.P/C.P.No.

in

O.A.No. 1067/91

Admitted and Interim directions  
issued

Allowed

Disposed of with Directions

Dismissed

Dismissed as withdrawn

Dismissed for Default.

Rejected/Ordered

No order as to costs.

YLKR

*No spare copy*

Central Administrative Tribunal  
DESPATCH  
28 MAR 1995  
HYDERABAD BENCH.