

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

O.A.No.272/93

Date of order: 24-8-1995

Suresh Kumar Yogi : Applicant

Vs.

Union of India & Ors. : Respondents

None present on behalf of the applicant.

Mr.Manish Bhandari : Counsel for respondents.

CORAM:

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

Hon'ble Mr.Ratan Prakash, Member(J)

PER HON'BLE MR.O.P.SHARMA, MEMBER(ADM.).

In this application under Sec.19 of the Administrative Tribunals Act, 1985, the applicant has prayed that orders Annx.A1 dated 27.1.93 and Annx.A2 dated 17.6.'92 being seniority lists, may be quashed and the applicant should be treated as entitled to seniority over persons who do not have lien in Kota Division.

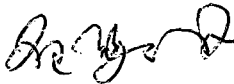
2. None was present on behalf of the applicant. We heard the learned counsel for the respondents and perused the records.

3. The learned counsel for the respondents took a preliminary objection to the maintainability of the application on the ground that the seniority of the applicant vis a vis that of others in respect of which the applicant is aggrieved has since been revised. Now, as per the revised seniority position only persons at Sl.Nos.10, 13, 15 and 16 in Annx.A1 remain above the applicant whereas persons at Sl.Nos.22 to 29 in Annx.A1 have now become junior to the applicant as per the revised seniority list as shown in Annx.F1. The applicant has not challenged the revised seniority position, more importantly according to the learned counsel for the respondents, the applicant had not impleaded as respondents those over whom the applicant has claimed seniority by filing the present O.A.

4. We find that at least the applicant's challenge to seniority of persons at Sl.Nos.10, 13, 15 and 16 of Annx.F1, is

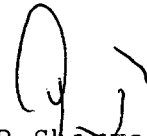
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not maintainable unless and until they are made respondents in the application and are given an opportunity to explain their position. On this preliminary ground, the O.A. is dismissed with no order as to costs.



(Ratan Prakash)

Member(Judl.).



(O.P.Sharma)

Member(Adm.).