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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH

O.A. No. 363/93.

Date of Decision 20.10.94.

Smt. Krishan Kanta

....Applicant.

Vs.

Union of India & others

.....Respondents.

CORAM: HON'BLE MR. JUSTICE D.L. MEHTA, VICE CHAIRMAN.
HON'BLE MR. N.K. VERMA, ADMINISTRATIVE MEMBER.

For the applicant - Mr. J.K. Kaushik, advocate.

For the respondents - Mr. M. Rafiq, advocate.

ORDER (ORAL)

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

...

Heard the learned counsel for the parties.

2. Applicant has challenged the reversion order Annexure A/1, dated 20.5.93.

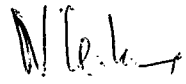
3. Respondents have come with a case that the applicant was junior in the lower grade and the seniority has been counted not from the date of regular entry in the higher grade but on the basis of seniority in the initial grade. This Tribunal has repeatedly held that the seniority is to be counted from the date of regular entry in the higher grade as per rules and the question of considering the seniority ~~at~~ ⁱⁿ the initial grade does not arise. The doctrine of jumping the queue on account of reservation is not a valid argument and for this reason the seniority may be restored to the applicant according to law from the date of entry in the higher grade and the case of reversion of the applicant be considered after re-fixing the seniority, if not already done.

4. For the reasons mentioned above, the order Annexure A/1, dated 20.5.93 is quashed and the respondents are directed to reconsider the matter.

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afresh in accordance with law and the applicant shall be entitled for all consequential benefits.

No costs.


(N.K. VERMA)
ADMINISTRATIVE MEMBER


(D.L. MEHTA)
VICE CHAIRMAN

'MS'