

O.A.No.67/94

Dt. of order: 16.8.1994

Jag Ram Yadav

: Applicant

Vs.

Union of India & Ors.

: Respondents

Mr.K.S.Sharma

: Counsel for applicant

Mr.K.N.Shrimal

: Counsel for respondents

CORAM:

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

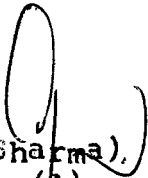
Hon'ble Mr.O.P.Sharma, Member(Adm.)

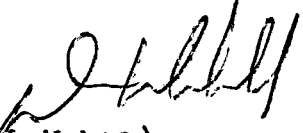
PER HON'BLE MR.JUSTICE D.L.MEHTA, VICE CHAIRMAN.

Heard the learned counsel for the parties and perused the record. The applicant was holding the post of Extra Departmental Agent. The post was abolished and directions were given on 30.9.92 vide Annx.A-1 that the applicant should be relieved and whenever the vacancy occurred he shall be absorbed on that vacancy. Subsequently he was taken on a lower rank and he is working on that post w.e.f. 21.4.93 or any date near-by. The contention of the learned counsel for the applicant is that he should be paid the salary of higher post Extra Departmental Agent. His further contention is that he should be absorbed immediately on the post of Extra Departmental Agent as he is working in that post since 1981.

2. We cannot pass an order for higher payment of salary. However, the respondents have already mentioned in Annx.A-1 that whenever vacancy occurs he shall be absorbed as an Extra Departmental Agent. In the light of the said order if any vacancy occurs the applicant may apply for the same and the respondents should consider his case and should give the appointment as desired by themselves at Annx.A1.

3. The O.A. is disposed of accordingly with no order as to costs.

  
(O.P.Sharma),  
Member(A).

  
(D.L.Mehta)  
Vice Chairman.