

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR  
O.A.No.560/96 Date of order: 11.9.2001

Naresh Kumar Sharma, S/o Shri C.M.Sharma, employed  
as Computer, O/o Directorate of Census Operations,  
Rajasthan, Jaipur.

...Applicant.

Vs.

1. Union of India through Registrar General, Mini.of Home Affairs, Govt.of India, New Delhi.
2. Joint Director, Census Operations Rajasthan, Jaipur.
3. R.C.Bairwa, S/o Sh.Gopal Lal, Computer, O/o Directorate of Census, Jaipur through its Director.
4. Sh.Tara Chand Sharma, Computer, Directorate of Census, Jaipur through its Director.

...Respondents.

Mr.Shiv Kumar : Counsel for applicant

Mr.Sanjay Pareek : for respondents.

CORAM:

Hon'ble Mr.S.K.Agarwal, Judicial Member.

Hon'ble Mr.S,A.T.Rizvi, Administrative Member.

PER HON'BLE MR S.K.AGARWAL, JUDICIAL MEMBER.

In this O.A filed under Sec.19 of the ATs Act, 1985, the applicant makes a prayer (i) the impugned seniority list dated 18.9.96 may be modified by interpolating the name of applicant above Sh.Ramesh Chand Bairwa and below Shri Mahesh Chand Sharma and necessary consequential benefits may be allowed, (ii) the applicant may be exempted from making Sl.No.12 to 45 as necessary parties.

2. Reply was filed. In the reply, it has been stated specifically that the grievance of the applicant has already been redressed by placing him at senior position than

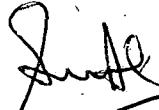
*Shiv*

respondent No.3 & 4 in the seniority list issued on 23.10.98 in compliance of the judgment of Hon'ble Supreme Court dated 13.8.98. It is also specifically made clear in the reply that the applicant has already been made senior to respondents No.3 & 4 in the seniority list Anxx.R3 and stated that other officials shown from Sl.14 to 45 have been declared as senior to the applicant in accordance with the judgment of the Hon'ble Supreme Court dated 13.8.98 and reference has also been made of the recent judgment dated 13.7.2000 delivered by this Tribunal by which the O.A filed by certain employees of the respondents' department impugning the letter dated 11/12.3.91 regularising the ad hoc services rendered by respondents Computers and also allowing these ad hoc appointees in the grade of statistical Assistants and Computers to count their services for the purpose of seniority as well as eligibility for promotion to the higher grades, were rejected.

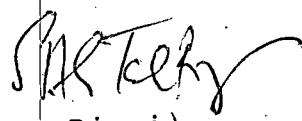
3. Heard the learned counsel for the parties and also perused the whole record.

4. In view of the reply filed by the respondents' department and judgment delivered by Hon'ble Supreme Court dated 13.8.98 and order passed by this Tribunal dated 13.7.2000, we are of the considered opinion that the applicant has already been shown senior to respondents No.3 & 4 and other officials from Sl.No.14 to 45 have been declared as senior to the applicant in accordance with the judgment dated 13.8.98 passed by the Hon'ble Supreme Court. Therefore, the applicant has no case for interference by this Tribunal and this O.A devoid of any merits is liable to be dismissed.

5. We, therefore, dismiss this O.A having no merit with

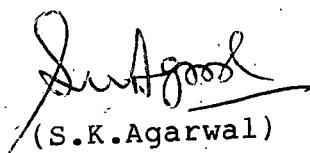


no order as to costs.



(S.A.T. Rizvi)

Member (A).



(S.K. Agarwal)

Member (J).