

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR

OA No. 420/2003

DATE OF ORDER: 12.9.2003

Dr. G.S. Somawat son of Shri Late Shri K.R. Somawat aged 50 years, Director, Office of the National Commission for Scheduled Castes & Scheduled Tribes, State Office, Jaipur and resident of C-62 Balnagar, Kartarpura, Jaipur.

... Applicant

VERSUS

1. Union of India through the Secretary, Ministry of Social Justice & Empowerment, A-Wing 6th Floor, Shastri Bhavan, New Delhi.

2. Department of Personnel & Training, Ministry of Personnel Public Grievances & Pensions, North Block, New Delhi through the Secretary.

... Respondents.

Applicant present in person.

GORAM:

Hon'ble Mr. M.L. Chauhan, Member (Judicial)

Hon'ble Mr. A.K. Bhandari, Member (Administrative)

ORDER (ORAL)

The applicant has filed the present OA whereby praying for the following reliefs:-

- "(i) That the respondent No. 1 may be directed to issue the revised Seniority List of the applicant for the post of Deputy Director for SC & STs (Joint Cadre) by allowing the notional date of joining as 23.11.1988.
- (ii) That the respondent No. 1 may be directed to amend the old Recruitment Rules 1936 for the post of Director for Scheduled Castes and Scheduled Tribes and ensure to incorporate all the subsequent changes, which have been made over a period of last 18 years or so in the service rules by the respondent No. 2.
- (iii) That the respondent No. 1 may be directed to consider the Applicant for promotion to the post of Director on the basis of the revised Recruitment Rules and revised seniority List of Deputy Director for the post of Director for SCs & STs and, if found fit his promotion may be made effective from the date of his eligibility as per rules and all the consequential benefits arose and accrued including refixation of the pay and payment of arrears etc. should be paid to the Applicant.

(iv) That the Respondents may be directed to review the Cadre to allow further promotion avenues/opportunities for the regular Directors of the Joint Cadres as per the respondent No. 2 instructions/orders by making the provision of the Time-bound promotion/the Assured Career Promotion Scheme (ACP) 1999 or higher pay scales as being allowed to the Directors appointed on deputation basis.

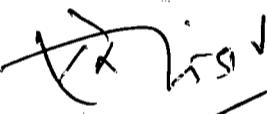
(v) That the Respondent No. 1 may be directed to pay the penal interest on the arrear amount to be paid to the applicant on account of fixation and refixation of the pay for the post of Director.

(vi) Any other order or orders as are deemed fit and proper in the interest of justice and the facts and circumstances of the case may kindly be passed in favour of the applicant.

(vii) The cost may also be awarded in favour of the applicant."

2. From the perusal of the reliefs, as mentioned above, we are of the view that the present application deserves to be dismissed in view of the provision contained in Rule 10 of the CAT (Procedure) Rules, 1987 as the applicant has sought ~~multiple~~ reliefs which are different and constitute different cause of action.

3. With these observations, this OA is dismissed at admission stage. However, it is clarified that this order will not come in the way of the applicant in case he wants to file another OA in terms of Rule 10 of the CAT (Procedure) Rules, 1987 subject to limitation.

  
(A.K. BHANDARI)  
MEMBER (A)

  
(M.L. CHAUHAN)  
MEMBER (J)