

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

Jaipur, the 20th day of July 2005

ORIGINAL APPLICATION NO. 561/2003

CORAM:

HON'BLE MR. M.L. CHAUHAN, MEMBER (JUDICIAL)
HON'BLE MR.G.R. PATWARDHAN, MEMBER (ADMINISTRATIVE)

Ramesh Kumar Jain son of Shri U.R. Mohnot, aged about 50 years, resident of Plot No. 5, Satya Vihar, Lal Kothi Scheme, Tonk Road, Jaipur. Presently working as Director, Small Saving, Jaipur.

.....Applicant

By Advocate: Mr. Anupam Agarwal

VERSUS

- 1 Union of India through the Under Secretary, Department of Personnel & Training, Ministry of Personnel, Public Grievances and Pensions, New Delhi.
- 2 The State of Rajasthan through Secretary, Department of Personnel, Secretariat, Bhagwan Das Road, Jaipur.
- 3 Shri S.S. Rajvi, Special Secretary to the Government, Government of Rajasthan, Public Health and Eng. Department, Secretariat, Bhagwan Das Road, Jaipur.

....Respondents.

By Advocates : Mr. U.D. Sharma, (For Respondent No. 2).
None for Respondents nos. 1 & 3.

ORDER (ORAL)

62. The matter was heard at length. Neither the reply has

been filed on behalf of Union of India nor anyone has put appearance on their behalf today. The learned counsel for the applicant while drawing attention to the impugned order dated 26.11.2002 (Annexure A/1) has made limited prayer that the matter may be remitted back to Union of India to re-consider the matter in the light of directions dated 12.07.2002 given by this Tribunal in earlier OA No. 317/1996 whereby it was specifically directed by this Tribunal that the representation of the applicant in respect of year of allotment vis-a-vis year of allotment of Shri S.S. Rajvi be considered by the competent authority.

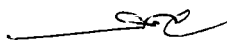
2 As Union of India in the impugned order has specifically stated that no benefit has been given to Shri S.S. Rajvi so far and as such the request made by the applicant for revising his seniority from 1990 to 1987 on the lines of the benefits said to have been given to Shri S.S. Rajvi, is premature at this stage.

3 On the contrary, the learned counsel for the applicant put material on record to suggest that Vide Annexures A/5 and A/8, the benefit of the seniority has been extended to Shri S.S. Rajvi and as such the representation of the applicant has not been considered by Respondent No. 1 in the light of the directions given by this Tribunal in earlier OA No. 317/1996.

4 In the light of what has been stated above, we are of

the view that the applicant has made out a case for remitting back the case to Respondent No. 1 and accordingly Respondent No. 1 is directed to decide the representation of the applicant in the light of the directions given by this Tribunal in earlier OA No. 317/1996 and pass appropriate speaking and reasoned order within a period of two months from the date of receipt of a copy of this order.

5 With these observations, the OA is disposed of with no order as to costs.


(G.R. PATWARDHAN)

MEMBER (A)


(M.L. CHAUHAN)

MEMBER (J)

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