

CENTRAL ADMINISTRATIVE TRIBUNAL
JABALPUR BENCH

Circuit Sitting : BILASPUR

Original Application No.336/2003

Bilaspur, this the 8th day of December, 2003

Hon'ble Shri M. P. Singh, Vice Chairman
Hon'ble Shri G. Shanthappa, Judicial Member

1. Jayamohan K
s/ late Sri V.K.Pillai
Assistant, Office of Regional
Provident Fund Commissioner 1
Regional Office, Raipur(Chhattisgarh).
2. Smt. Nazmeen K.P.
w/o Sri Jayamohan K. Assistant
Office of Regional Provident Fund
Commissioner - I, Regional Office
Raipur (Chhattisgarh). ... Applicants

(By Advocate: None)

Versus

1. Union of India through
Central Provident Fund Commissioner
14, Bhikaji Kama Place
New Delhi - 66.
2. Regional Provident Fund Commissioner-I
Nav Bharat Press Complex, G.E.Road
Raipur (Chhattisgarh).
3. Shri Daryav Singh
4. Sri B. Toppo
5. Sri Shiv Shankar Jagat
6. Kumari Lucia Jyoti Lakre
7. Sri Innocent Kujur
Serial No.3 to 7
C/o Regional Provident Fund
Commissioner 1, Nav Bharat Press
Complex, G.E. Road
Raipur (Chhattisgarh). ... Respondents

(By Advocate: None)

O R D E R (Oral)

By Shri G. Shanthappa, Judicial Member.

None appeared for the parties even on second call. The OA is disposed of in terms of Rules 15 and 16 of the Central Administrative Tribunal (Procedure) Rules, 1987.

Contd....2/-

2. The case of the applicants, in brief, is that the applicants came on transfer on their own request from Delhi Electric Supply Undertaking (DESU) and joined in the ~~subsequent~~ respondents' organisation as LDCs. The applicants are asking for their seniority in the present organisation, in the cadre of UDCs keeping in view the seniority already finalized by the Regional Provident Fund Commissioner M.P. Region, Indore ^{i.e.} before creation of the Chhattisgarh Region, Raipur.

3. Earlier a provisional seniority list has been prepared for that the respondents have asked the concerned employees to submit their objections and after considering the objections filed by the applicants, the respondents have prepared a final seniority list vide Annexure A-1 dated 7.5.2003, i.e. the impugned seniority list.

4. The grievance of the applicants are that the respondents have not considered the latest Judgement of the Hon'ble Supreme Court and also the Full Bench Judgement of this Tribunal (Madras Bench) in OA No. 1156/1996 with connected cases, decided on 17.4.2000.

They have also urged that the respondents ~~are~~ ^{have to} considering the Judgement of the Hon'ble Supreme Court in Civil Appeal Nos.4556-59 of 1992, decided on 18.8.1993.

5. The respondents have filed their reply contending that on the basis of repeated representations of the applicants, the respondents have prepared the seniority list keeping in mind the Judgement of the Central Administrative Tribunal (Madras Bench) referred above, and issued the impugned seniority list.

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6. Subsequently, without pointing out the mistakes crept by the respondents, the applicants have approached this Tribunal by filing the present OA. Hence, the application is not maintainable under Section 20(1) of the Administrative Tribunals Act, 1985.

7. In view of the above position, ends of justice would be met if the present OA is disposed of with directions to the applicants to submit their detailed representations, for ^{redressal of} ~~their~~ grievance ~~ap~~ pertaining to seniority from the date of entry into the organisation of the respondents, to the respondents within a period of one month from the date of receipt of a copy of this order. Thereafter, the respondents are directed to dispose of the representations filed by the applicants, within a period of two months from the date of receipt of the representations from the applicants, and pass ^{We order accordingly.} a detailed and reasoned order. ^{The OA is accordingly} ~~The OA is accordingly~~ disposed of. No costs.


(G. SHANTHAPPA)

Judicial Member


(M.P. SINGH)
Vice Chairman

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