

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORDERS OF THE BENCH

18.07.2011

OA No. 253/2011

Mr. Chain Singh Rathore, Counsel for applicant.

Heard learned counsel for the applicant.

By way of this OA, the applicant has prayed for quashing and setting aside the order dated 04.09.2009 (Annexure A/1) and order dated 23.02.2011 (Annexure A/2). Learned counsel for the applicant further submits that the controversy involved in this case is already settled by this Tribunal in the case of **C.L. Meena vs. Union of India & Others** [TA NO. 52/2009] decided on 06.05.2011 and prayed that in the light of the aforesaid judgment, the present OA of the applicant may also be considered and decided.

In the aforesaid TA No. 52/2009 decided on 06.05.2011, the Tribunal directed the respondents to reconsider the case of the applicant as the applicant has completed four years service on 01.10.2004 and as such his case for upgradation is required to be considered with effect from 01.10.2004 and after consideration the respondents shall pass necessary order in this regard.

Having relying upon the ratio decided by this Tribunal, the applicant wants to take the advantage of this judgment. The applicant is at liberty to represent before the respondents alongwith the order passed by this Tribunal in TA No. 52/2009 decided on 06.05.2001 and it is for the respondents to consider the case of the applicant if he falls within the ambit of the ratio decided by this Tribunal in the aforesaid case and shall communicate the decision so taken by them on the representation filed by the applicant in accordance with the provisions of law.

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

Anil Kumar
(ANIL KUMAR)
MEMBER (A)

K.S. Rathore
(Justice K.S. Rathore)
MEMBER (J)

AHQ

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no 1069
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[Signature]