

CENTRAL ADMINISTRATIVE TRIBUNAL

BANGALORE BENCH

ORIGINAL APPLICATION NO.170/00520/2016

DATED THIS THE 27th DAY OF JUNE, 2017

HON'BLE SHRI JUSTICE HARUN-UL-RASHID, MEMBER(J)

HON'BLE SHRI P. K. PRADHAN, MEMBER(A)

P.Ganesh Kumar,
S/o P.Rama Rao,
Aged 47 years, Working as
Assistant Engineer (C),
Postal Civil Sub-Division,
Ittigegud PO, Mysuru 570010.
Residing at No.B-182,
Opp; Post office,
Beside Siddappa Choultries,
Ittigegud , Mysuru 570010.

...Applicant

(By Shri,AR.Holla..... Advocate)

Vs.

1. Union of India,
By Secretary,
Department of Posts,
Dak Bhavan, New Delhi – 110 001.

2.The Chief Engineer (Civil),
Department of Posts,
4th Floor,Dak Bhavan,
New Delhi – 110 001.

3.The Superintending Engineer (Civil),
Postal Civil Circle,
RT.Nagar, 1st Floor, HPO,
Bengaluru 560 032.

4.Sri. T.Suryanarayana Reddy,
Assistant Engineer(C),
Postal Civil Sub-Division,
O/o Postmaster General,
MUP Colony, Sector-8,
Visakhapatnam 530 017.

5.Sri.Nawab Singh,
Assistant Engineer(C),
Postal Civil Sub-Division-I,
O/o CPMG Compound,
Jaipur 302 005.

6.Sri. S.Chandrasekhar,
Assistant Engineer(C),
Postal Civil Sub-Division,
Tiruchirapalli 620 001.

7.Sri.P.Umamahesh,
Assistant Engineer(C),
Postal Civil Sub-Division,
Postal Stores Depot Compound,
Krishnalanka,
Vijayawada 520 001.

8.Sri.Anuj Kumar Gupta,
Assistant Engineer,
Postal Civil Sub-Division-I,
Patna 800 001.

9.Sri.A.Meera Kumar,
Assistant Engineer,
Postal Civil Sub-Division,
Berhampur 760 001.

10.Sri DK.Goyal,
Assistant Engineer(C),
Postal Civil Sub-Division,
Haldwani 263 139.
Uttaranchal State.

11.Sri RK.Sharma,
Assistant Engineer(P),

O/o Superintending Engineer (C),
 Postal Civil Circle,
 HPO Building Compound,
 Ambala Cantonment,
 Ambala 134003.

12.Sri.PK.Dutta,
 Assistant Engineer(C)
 Postal Civil Sub-Division,
 Yoga Yog Bhavan,
 13th Floor, P-36, CR.Avenue,
 Kolkata 700 012.

...Respondents

(By Shri K.Gajendra Vasu, Sr.Panel Counsel)

ORDER (ORAL)

JUSTICE HARUN-UL-RASHID MEMBER (J):

MA.200/2016 for COD

Heard. There is a delay of 338 days in filing the OA. We have gone through the averments made in the MA. We are satisfied that the delay has been properly explained. MA is, therefore, allowed.

OA

1. The original application is filed seeking the following reliefs:-

“i) To quash the final seniority list in the grade of Junior Engineers(Civil) in the Department of Posts as on 28.12.2005 published vide notification No..3-4/2009/CEND/847 dated 16.5.2014, Annexure A-19, issued by the respondent No.3,

ii) Consequently, direct the respondents to act upon the seniority list of Junior Engineers(Civil) published published vide notification No..3-7/2001-

CWP(Pt) dated 28.12.2005 16.5.2014, Annexure A-10, and ...”

2. In paragraph 5 of the reply statement respondents have referred to the interim order dated 25.2.2013 passed by the Hon'ble Apex Court. The Hon'ble Apex Court stayed the reversion of the petitioners till the final disposal of the SLP . The respondents say that there is no stay vide No.3-4/2009/CEND/847 dated 16.5.2014 and that the final seniority list is not under challenge before the Apex Court in SLP.No.29634-29638/2011.

3. From Annexure A-19, Office Memorandum, it is noticed that the provisional seniority list of Junior Engineers(Civil) was circulated vide No.3-4/2009-CEND dated 28.1.2013 to call for objections, omissions/ discrepancies. The respondents received a large number of representations containing objections/omissions and discrepancies. Those representations have been examined and considered and accordingly, the seniority list was finalised. The copy of the seniority list is attached to Annexure A-19. Annexure A-19 order further says that seniority list is further subject to the outcome of the SLPs.No.29634-29638/2011 and 107447-51/2012 pending for decision in the Hon'ble Apex Court and any other cases pending in any of the Central Administrative Tribunal and High Court related to the issue. In view of the fact that the finalisation of the

seniority list is further subject to the outcome of the aforesaid SLPs, it is not necessary at this stage to examine the claim of the applicant for promotion. The applicant is at liberty to challenge the order, if any, to be passed by the department, after the disposal of the SLPs, if, he is aggrieved. OA is disposed of. No order as to costs.

(P. K. PRADHAN)
MEMBER(A)

(JUSTICE HARUN-UL-RASHID)
MEMBER(J)

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