

**CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH**

Original Application No. 043/00177/2018

Date of Order: This, the 29th day of October 2018

THE HON'BLE SMT. MANJULA DAS, JUDICIAL MEMBER

THE HON'BLE MR. N. NEHSIAL, ADMINISTRATIVE MEMBER

1. Shri Raj Narayan, IDSE
Son of Late Ram Gopal Gupta
Joint Director
HQ Chief Engineer (Air Force)
Military Engineer Service
Post Office – Nonglyer
Elephant Falls Camp
Shillong – 793009.
2. Shri Arun Gupta, IDSE
Son of Shri Ram Prakash Gupta
Garrison Engineer (Army)
Rowrah, Jorhat – 785005.

...Applicants

By Advocates: Mr. A. Ahmed, Ms. R.R. Rajkumari, Mrs. D.
Goswami, Mr. N. Barman and Ms. A. Theyo.

-Versus-

1. The Union of India
Represented by the Secretary
to the Government of India
Ministry of Defence
South Block, New Delhi, Pin – 110011.
2. The Engineer-in-Chief
Military Engineer Services
Engineer-in-Chief's Branch, IHQ of Ministry of Defence
(Army) Kashmir House, New Delhi – 110011.

3. The Secretary, Union Public Service
Commission, Dholpur House
Shahjahan Road, New Delhi – 110069.
4. The Chief Engineer (AF)
Headquarters
Shillong Zone
Military Engineer Services
Elephant Falls Camp, Shillong, Pin – 793009
5. Shri T. Venkateswara Rao
Garrison Engineer (Army)
Suratgarh Military Station, Suratgarh, Pin – 335804.
6. Shri Pandruvada Seshu Kumar
DCWE (B/R), office of the CWE
Bikaner Military Station, Bikaner, Pin – 334001.
7. Shri Ranjeet Singh Gill
Joint Director
HQ Chief Engineer, Bathinda Zone
Bathinda Military Station, Pin – 151004.
8. Shri V.V.R. Sastry
Joint Director (Plg)
Headquarter Chief Engineer
Pune Zone, M.M. Road, Camp Pune, Pin – 411001.
9. Shri Boppana SRK Prasad
DCWE, CWE (Navy), Chennai
INS Adyar Old Building
Fort St. George, Rajaji Salai, Chennai, Pin – 600009.
10. Shri V Ramakrishna, DCWE
Headquarters CWE
Starion Road, Vishakhapatnam, Pin – 530004.
11. Shri D. V. Subbarayudu
Joint Director
Headquarters Chief Engineer (R&D)
Opposite Jubilee Bus Station
Secunderabad, Pin -500003.

12. Shri Tarit Kumar Das
Joint Director (MAP)
Headquarters Chief Engineer
Southern Command, Camp Pune
Pin – 411001.
13. Shri Prakash Agarwal
Deputy Project Manager
Office of the Project Manager
(Married Accommodation Project)
Kapurthala, Punjab, Pin – 144601.
14. Shri J.V. Subba Rao
DCWE, Headquarters CWE (Air Force)
Lohegaon Air Force Station
Pune, Pin – 411032.
15. Shri R.V. Raghavaiah
Joint Director (Planning)
Headquarters Chief Engineer (Air Force)
No. 2, DC Area, MES Road
Yesvanthpur Post, Bangalore, Pin – 560022.
16. Shri M S D Srinivasa Rao
Joint Director
Headquarters Chief Engineer (R&D)
Opposite Jubilee Bus Station
Secunderabad, Pin – 500003.
17. Shri Nagendranath Yadav
Joint Director
Headquarters Chief Engineer
Northern Command, Udhampur
C/O 56 APO, Pin – 914698.
18. Shri Anshul Kumar Rajvanshi
Joint Director
HQ DG (MAP) E-in-C's Branch
Kashmir House, Rajaji Marg
New Delhi – 110011.

19. Shri Amarjit Singh Raina
Joint Director
HQ Chief Engineer Jalandhar Zone
Jalandhar Cantt., Pin – 144005.

...Respondents

By Advocate: Mr. R. Hazarika, Addl. CGSC

ORDER (ORAL)

MANJULA DAS, JUDICIAL MEMBER:

The instant O.A. has been preferred by the applicants under Section 19 of the Administrative Tribunals Act, 1985 seeking the following main reliefs:-

- "8.1 To direct the Official Respondents to set aside and quash impugned All India Seniority List of Engineers Cadre Officer: Executive Engineer as on 01.04.2017 vide Circular No. B/41023/AISL/EE/01 Apr 17/E1 (DPC) dated 02.05.2017.
- 8.2 To direct the Official Respondents to refix the inter-se-seniority between the Assistant Executive Engineers and Assistant Engineers as per quota ratio of promotion from 66 2/3% from the Grade of Assistant Executive Engineer and 33 1/3% from the Grade of Assistant Engineers to the post of Executive Engineer as per Indian Defence Service of Engineers (Recruitment and condition of Service) Rules 2004."

2. We have heard Mr. Adil Ahmed, learned counsel for the applicants and Mr. R. Hazarika, learned Addl. CGSC for the respondents. Perused the pleadings and all the material placed on record.

3. Learned counsel on both sides agreed and submitted before the BAR that they have no objection if the matter is sent back to the respondent department to take a decision on the issue as prayed by the applicants.

4. We have accepted the prayer made by the learned counsel for both sides. Accordingly, we direct the applicants to submit this O.A. before the respondent authority within 30 (thirty days) from the date of receipt copy of this order. On receipt of the said O.A., the respondents shall treat the same as a representation and dispose of within a period of three months thereafter.

5. It is made clear that, whatever decision to be arrived by the Respondent Authorities, shall be reasoned and speaking and shall be communicated to the Applicant forthwith.

6. Interim order passed by this Tribunal on 10.05.2018 shall be continued till the disposal of the representation/O.A.

7. With the above directions, the O.A. stands disposed of. No order as to costs.

(N. NEIHSIAL)
MEMBER (A)

(MANJULA DAS)
MEMBER (J)