

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA 160/2003

(2)

New Delhi, this the 23rd day of January, 2003

Hon'ble Smt. Lakshmi Swaminathan, Vice-Chairman (J)
Hon'ble Shri Govindan S.Tampi, Member (A)

Sh. S.Rangarajan
Assistant
Central Administrative Tribunal
Principal Bench
Copernicus Marg, New Delhi.

...Applicant

(By Advocate Shri V.S.R.Krishna,
ld. proxy counsel for Sh. R.K.Shukla)

V E R S U S

The Registrar
Central Administrative Tribunal
Principal Bench
Copernicus Marg, New Delhi.

...Respondent

O R D E R (ORAL)

By Hon'ble Smt. Lakshmi Swaminathan, VC (J)

We have heard Shri V.S.R.Krishna, learned
proxy counsel for the applicant.

2. We find that the memo of parties in this case is not in proper form. Learned proxy counsel submits that the applicant is aggrieved by the Annexure A-1 letter dated 31-12-2002 issued by the Principal Registrar of the Central Administrative Tribunal (CAT), Principal Bench. However, the only party that has been impleaded in the OA is the Registrar, CAT, Principal Bench, New Delhi.

3. During the argument, learned counsel has fairly submitted that there is in fact no post of Registrar in the CAT, PB and, therefore, the memo of parties is erroneous. He undertakes to correct the same for which he seeks permission.

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4. It is relevant to mention that admittedly the applicant has not made any representation against the impugned letter dated 31-12-2002. It is also relevant to mention that in the letter, objections, if any, from all concerned persons have been called for to the revised draft seniority list of UDCs which has been prepared in pursuance of the judgement of the Ernakulam Bench of the Tribunal in OA 160/2000 and MA 632/2002. The judgement of the Tribunal has been upheld by the Hon'ble Kerala High Court. In the impugned letter, it is also clearly mentioned that objections, if any, to the placement assigned to each of the officials in the grade in the revised draft seniority list may be forwarded to the Principal Registrar, CAT, PB on or before 15-2-2003. Learned counsel submits that this communication has been addressed to all UDCs in the Principal Bench where the applicant is working whose names are appearing in the seniority list. His grievance is that applicant's name does not find place in the revised draft seniority list. In the facts of the case, as time for making a representation up to 15-2-2003 is still available, we see no reason why the applicant cannot bring the fact that he is aggrieved that his name has been omitted in the revised draft seniority list to the notice of the concerned authorities in the first instance for their consideration.

5. In the above facts and circumstances and having regard to the provisions of Section 20 of the

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Administrative Tribunals Act, 1985, OA is dismissed as pre-mature. Apart from this, as necessary parties have not been impleaded, the OA fails on this ground also and is dismissed.

6. At this stage a prayer has been made by Shri V.S.R.Krishna, learned counsel that the OA ^{may} ~~may~~ itself be treated as a representation. However, as even the proper parties have not been impleaded in the OA, we do not think that this is either in accordance with law or justified in this case. Accordingly, the above order in para 5 stands and the OA is dismissed at the admission stage.

(Govindan S.Tampi)
Member (A)

/vksn

Lakshmi Swaminathan
(Smt. Lakshmi Swaminathan)
Vice-Chairman (J)