

(2002) 12 DEL CK 0057

Delhi High Court

Case No: Civil Writ Petition No. 3524 of 2001

Union of India (UOI) and Another

APPELLANT

Vs

Mr. G.L. Madan

RESPONDENT

Date of Decision: Dec. 2, 2002

Acts Referred:

- Central Civil Services Rules, 1962 - Rule 2

Hon'ble Judges: B.N. Chaturvedi, J; B.A. Khan, J

Bench: Division Bench

Advocate: Anjana Gosain and Arvind Shah, for the Appellant; V.S.R. Krishna, for the Respondent

Judgement

Khan, J.

Petitioner/Union has filed this petition to challenge the CAT judgment dated 28.11.2001 passed in OA No. 2455/98 directing it to prepare a common seniority list in relation to UD Grade serving in all cadres specified in the first schedule in terms of Rule 2(hh) of the CCS Rules 1962 and not to revert respondent from the post of Assistant till his juniors in other Ministries were continuing in the grade of Assistant on adhoc basis and till regularly selected Assistants were promoted in his place. This order was passed on the prayer of respondent who was promoted as Assistant on adhoc basis and was later ordered to be reverted to his substantive post of UDC on regular selection having been made to the post of Assistant.

2. When this matter was taken up for consideration today, it was brought to our notice that impugned Tribunal judgment was also under challenge in CWP No. 1069/2001 filed by the Union and stands quashed by judgment dated 29.8.2002. It is, Therefore, prayed that this petition be also disposed of in terms of that judgment.

3. We have gone through the DB judgment in CWP No. 1069/2002 quashing impugned Tribunal order by placing reliance on the Supreme Court judgment in [Union of India and another Vs. R. Swaminathan](#), Following this, we dispose of this

petition by providing that it would be governed by the terms of the judgment passed in CWP No. 1069/2002 and reasoning recorded therein. The impugned Tribunal order dated 28.11.2001 passed in OA No. 2455/98 shall accordingly stand quashed.