

Union of India (UOI) and Another Vs Mr. G.L. Madan

Court: Delhi High Court

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

ad hoc 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 ad hoc 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.