

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION 5697 OF 2022

Petitioner : Kuldeep Raj s/o Sodagar Mal,
Aged 59 years, Occupation : Service,
R/o Qtr. No.143, Type-III, New C.P.W.D. Colony,
Seminary Hills, Nagpur – 440006.
– Versus –

Respondents : 1) Union of India,
Through its Secretary,
Ministry of Labour Government of India,
New Delhi-01
2) Chairman,
Central Board for Workers Education,
Near V.N.I.T., Nagpur.
3) Central Board for Workers Education,
Near V.N.I.T., Nagpur,
through its Director General.
4) Shri Hemant G. Purohit,
Aged : Major, Occupation : Service,
R/o. C/o. Central Board for Workers Education,
Near V.N.I.T., Nagpur.

Mr. A.R. Ingole, Advocate for the Petitioner.
Mr. Nandesh Deshpande, D.S.G.I. for Respondent 1.

CORAM: **ROHIT B. DEO AND M.W. CHANDWANI, JJ.**
DATE : **7th JULY, 2023.**

J U D G M E N T : *(Per Rohit B. Deo, J.)*

Rule. Rule made returnable forthwith. Heard finally by the consent of the learned Counsel for the parties.

02] The petitioner is assailing the judgment dated 25/07/2019 rendered by the Central Administrative Tribunal (CAT) in Original Application 2165/2019.

03] The grievance of the petitioner is that his seniority is ignored while passing the order dated 26/04/2016, whereby respondent 4 was promoted as Assistant Director.

04] The petitioner earlier preferred Original Application 426/2016, which came to be disposed of with a direction that the representation of the petitioner be considered.

05] The CAT has found, and we entirely agree, that there was an attempt to mislead the CAT. Respondent 2-Board published a seniority list on 19/03/2015 for the grades of Stenographer Grade-I and Grade-II, Senior Clerk, Statistical Assistant and Technical Assistant. The petitioner was Senior Clerk, while respondent 4 was Stenographer Grade-I and in the seniority list, he was assigned higher position and Scale of PB-II with Grade Pay of Rs.4600/-. The petitioner was placed in Grade PB-I with Grade Pay of Rs.2800/-. The CAT found that the grievance is absolutely without substance and dismissed Original Application 2165/2019 with costs of Rs.5,000/-

06] We do not see any error in the view taken by the CAT. The petition is dismissed. Rule is discharged with no order as to costs.

**sandesh*

(M.W. CHANDWANI, J.)

(ROHIT B. DEO, J.)