

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

OA No.3216/2002

(A)

New Delhi, this the 10th day of December, 2002

HON'BLE MR. JUSTICE V.S. AGGARWAL, CHAIRMAN  
HON'BLE MR. M.P. SINGH, MEMBER (A)

Pramod Behari  
S/o Shri Ram Behari Lall,  
Section Officer,  
Department of Chemicals & Petrochemicals,  
Ministry of Chemicals & Fertilizers,  
New Delhi.

R/o 201, Dhruva Apartments,  
4-IP Extension, Patparganj,  
Delhi-110092.

... Applicant

(By Advocate: Shri Prem Prakash)

V E R S U S

Union of India  
Through  
The Secretary,  
Department of Chemicals & Petrochemicals,  
Ministry of Chemicals & Fertilizers,  
Shastri Bhawan,  
New Delhi.

... Respondents

ORDER (ORAL)

By Justice Shri V.S. Aggarwal, Chairman :

The applicant was appointed as an Assistant in UPSC. He was promoted as Section Officer and an enquiry was initiated against him by the Central Bureau of Investigation in connection with alleged tempering of answer sheets in the UPSC. In connection with the aforesaid, the applicant was placed under suspension in September 1986.

2. Applicant had filed OA 2/1990, this Tribunal had quashed the aforesaid suspension order of the applicant vide order dated 3.4.1991. Thereupon the applicant had been reinstated.

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(2)

3. By virtue of the present application, the applicant seeks that he should be given in-situ promotion to the post of Under Secretary and also be given vigilance clearance in this regard.

4. The applicant had also submitted a representation dated 2.7.2002, a copy of which is Annexure P-7, but the same has not yet been disposed of by the respondents.

5. When the rights of the respondents are not likely to be effected, we deem it unnecessary to issue show-cause notice to the respondents while disposing of the present application.

6. It is directed that respondents should consider the applicant's representation referred to above and pass a speaking order preferably within four months from the date of receipt of a certified copy of the present order. The order so passed should be communicated to the applicant.

7. By way of abundant caution, it is made clear that nothing said herein should be taken as an expression of opinion on the merits of the present case.

8. Subject to the aforesaid, the present OA is disposed of at the admission stage itself.

  
(M.P. SINGH)  
MEMBER (A)

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(V.S. AGGARWAL)  
CHAIRMAN