

(2)

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

O.A. NO.1452/2002

New Delhi this the 30th day of May, 2002.

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN

HON'BLE SHRI S.A.T.RIZVI, MEMBER (A)

Shri Gianeshwar Sawhney  
S/o Shri Late Govind Ram  
R/o 8/17 Single Storey  
Ramesh Nagar  
New Delhi-110015. .... Applicant

( By Shri Surinder Singh, Advocate)

-versus-

1. Union of India  
Thro  
The Defence Secretary  
Ministry of Defence  
South Block, Central Secretariat  
New Delhi-110001.
2. The Joint Secretary & CAO  
Ministry of Defence  
C-II Hutmants  
New Delhi. ... Respondents

O R D E R (ORAL)

S.A.T.Rizvi:-

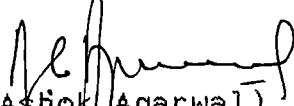
The applicant who is a Principal Private Secretary (PPS) to the Chief of the Army Staff is an aspirant for promotion to the post of Senior Principal Private Secretary in the pay scale of Rs.12000-375-16500. Seven posts of Senior Principal Private Secretary came into existence after the enforcement of the Fifth Central Pay Commission recommendations. Two of these posts have been filled on ad hoc basis by PPSs senior to

the present applicant. The applicant's prayer for promotion has been rejected on the ground that as on 1st January 2002 which is the crucial date for determining eligibility in terms of Office Memorandum dated 17.9.1998 (Annexure A-7), the applicant did not fulfil the condition laid down in the relevant recruitment rules in terms of 13 years' regular service rendered as Private Secretary and PPS. He is to retire from service in March 2003. The learned counsel appearing on his behalf submits that if the matter gets unduly delayed, it is likely that the applicant will ~~leave~~ <sup>2 be left</sup> ~~& for good~~ out and may not be able to secure promotion before he retires from service in March 2003.

2. Having regard to the submissions made by the learned counsel and the aforesaid facts and circumstances, we find that it will be just and proper to dispose of the present OA at this very stage even without issuing notices with a direction to the respondents to consider the claim of the present applicant as soon as possible immediately after 1.1.2003 so as to ensure that, if found fit, he succeeds in getting promotion before he retires from service. We direct accordingly. This order will not preclude the possibility of the respondents considering the applicant's case for ad-hoc promotion in the meanwhile. 2

3. Present OA is disposed of in the aforesated terms.

  
(S.A.T. Rizvi)  
Member (A)

  
(Ashok Agarwal)  
Chairman

/sns/