

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.913/2002

Wednesday, this the 3rd day of April, 2002

Hon'ble Shri Justice Ashok Agarwal, Chairman
Hon'ble Shri S.A.T. Rizvi, Member (A)

Shri A.K. Malhotra
S/O Late Shri B.L. Malhotra
PD-28C, LIG Flats
Vishakha Enclave
Pitam Pura
Near ND Market
Delhi-88
(By Advocate: Shri S.M. Ratanpaul) ...Applicant

Versus

1. Union of India through
the Secretary
Ministry of Textiles
Udyog Bhawan
Rafi Marg
New Delhi
2. The Development Commissioner (Handicrafts)
West Block No.7
R.K. Puram
New Delhi-66
3. Additional Development Commissioner
(Handicrafts)
Office of the Development Commissioner
(Handicrafts)
West Block No.7
R.K. Puram
New Delhi
4. The Director (Establishment)
Ministry of Personnel, Public Grievances
& Pensions (Department of Personnel
& Training), North Block,
New Delhi
5. Shri Ashok Shah
Deputy Director (Vigilance)
Office of the Development Commissioner
(Handicrafts)
West Block No.7
R.K. Puram
New Delhi ..Respondents

O R D E R (ORAL)

Hon'ble Shri S.A.T. Rizvi, M (A):

After his appointment as LDC on 1.4.1967 in the
Ministry of Industrial Development, the applicant was

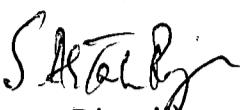
appointed by direct recruitment process as a Junior Field Officer in the then All India Handicrafts Board under the Ministry of Commerce on 18.12.1975. On 31.5.1980, he was regularly promoted as Assistant Director (Administration and Coordination). Since no further regular promotion came his way thereafter he became entitled for second financial upgradation in terms of the ACP Scheme w.e.f. 18.12.1999, i.e. after performing 24 years of service from 18.12.1975. A number of his juniors in the rank of Assistant Director have already been granted the second financial upgradation in accordance with the aforesaid scheme, but the applicant has been left out without any justification and without any reason. A departmental charge sheet was of course served on him on 13.12.2001, but the same could not stand in his way for the purpose of grant of second financial upgradation as that benefit ~~is~~ ^{is} ~~should~~ ^{question} should have been given to him way back in December, 1998 itself. A detailed representation has been filed by the applicant on 5.9.2000 (A-2) followed by other similar representations. There has been no response from the respondents.

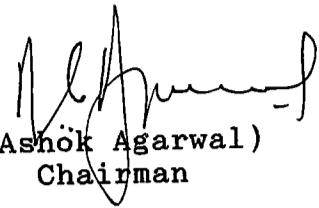
2. Having regard to the submissions made by the learned counsel, we find that it will be just and proper to dispose of the present OA at this very stage even without issuing notices with a direction to the respondents to consider the aforesaid representations and to pass a reasoned and a speaking order thereon expeditiously and in any event within a period of two months from the date of receipt of a copy of this order. We direct accordingly.

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3. The present OA is disposed of in the aforestated terms at the admission stage itself. No costs.


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


(Ashok Agarwal)
Chairman

/sunil/