

O.A. No.3098/2002

New Delhi this the 2nd day of December 2002

Hon'ble Dr. A. Vedavalli, Member (J)
Hon'ble Mr. M. P. Singh, Member (A)

R. D. Sharma
S/o Late Shri Sanwalia Ram
Resident of AG-1/57 A, Vikas Puri,
New Delhi-110018. - Applicant
(Applicant in person)

Versus

Council of Scientific & Industrial Research
Rafi Marg, New Delhi-110001.
Through the Director-General - Respondent

ORDER (ORAL)

Dr. A. Vedavalli, Member (J) :

Applicant in person heard.

2. The applicant, R.D. Sharma, is aggrieved by the impugned order dated 16.8.2002 (Annexure-XV) cancelling his promotion as Under Secretary/Administrative Officer (US/AO) inspite of several representations which have been submitted by him to the respondent. He seeks the following reliefs in this OA:-

- (i) To quash the order dated 16.08.2002 and direct the respondents to restore the offer of promotion of US/AO to the applicant and revive the panel for a period of one year as initially envisaged.
- (ii) To quash the transfer order dated 25.06.2002 and direct the respondent to post the applicant against the post of US/AO like his junior/juniormost counterparts in CSIR Headquarters or any of its Labs/Instts in Delhi where vacancies are still existing.
- (iii) To direct the respondent not to hold any DPC for US/AO in future or at least till such time the case of the applicant is settled by this Hon'ble Tribunal.
- (iv) Award exemplary cost for this application with a further request to pass any other order/orders or direction/directions or grant any other relief/reliefs as deemed just and proper in the light of the facts and circumstances of the case."

ADV

(2)

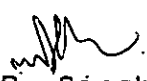
3. On consideration of the matter, we are of the view that the OA can be disposed of at the admission stage itself with the following directions to the respondent:-

a) The respondent is directed to treat the present OA as an additional representation submitted by the applicant regarding his grievances and examine the same on its merits in terms of the relevant rules, instructions and judicial pronouncements on the subject and dispose of the same by a detailed and reasoned order in accordance with law under intimation to the applicant within two months from the date of receipt of a copy of this order.

b) In case any grievance further survives thereafter, the applicant is granted liberty to approach this Tribunal in fresh original proceedings, if so advised, in accordance with law.

OA is disposed of as above.

4. Registry is directed to send a copy of the OA to the respondents along with a copy of this order.


(M.P. Singh)
Member(A)

/ravi/


(Dr.A. Vedavalli)
Member(J)