

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA No.3210/2002

(2)

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)

Ms. Surjeet Kaur Dhami
Ex Senior Accountant
D/o Sh. Ram Singh
R/o D-158, Sarojini Nagar,
New Delhi.

... Applicant
(By Advocate: Ms. Jasvinder Kaur)

V E R S U S

1. Union of India through - Min of Home Affairs
Through Principal Accounts Officer,
North Block, New Delhi-110001.
2. Deputy Controller of Accounts
Principal Accounts Office (CENSUS)
North Block, New Delhi-110001.
3. Mr. Azad,
Sr.Accounts Officer,
Principal Accounts Officer (CENSUS)
North Block, New Delhi-11001.

... Respondents

ORDER (ORAL)

By Justice Shri V.S. Aggarwal, Chairman :

The applicant joined Respondent No.1 as a Upper Division Clerk in the year 1966. She was promoted as Senior Accountant in the year 1987 and confirmed as such on 1.4.1987. The applicant had been denied the benefit of Assured Career Progression Scheme. On her representation, she had been informed that there were adverse entries against her with regard to the years 1996-97 and 1997-98. The said adverse entries had not been communicated to her earlier but were communicated to her in the year 2001. Her representation in this regard has been rejected. The applicant attained the age of superannuation on 30.6.2002.

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2. By virtue of the present application, the applicant seeks expunction of the said adverse remarks and set aside the orders referred to above by virtue of which the Assured Career Progression Scheme and the benefit thereto had been denied to her.

3. Learned counsel for the applicant has addressed us and raised the following contentions:-

A. The adverse entries had not been communicated and, therefore, it should be ignored.

B. In any case, they had not been communicated within three months from the date of recording of the same. In this process, the rights of the applicant could not have been prejudiced.

On totality of facts and considering the nature of the assertion, we are of the considered opinion and with the peculiar facts that the said contentions which should be taken altogether have little to support the claim of the applicant. It is true that the adverse entries had not been communicated within three months of the recording of the same. But admittedly the same had been communicated. They pertained to the irregularity of the applicant in attending her office and not obtaining total punctuality. The representation of the applicant in this regard had been rejected. Once the entries had been communicated, indeed no prejudice in this regard is caused because the representation

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has been considered and did not find favour with the applicant.

5. At this stage, we find no reasons to quash aforesaid entries. Once the entries stand, the irresistible conclusion would be that the applicant was rightly denied the benefits of the said Scheme.

6. Resultantly, the present OA is dismissed in limine being devoid of any merit.


(M.P. SINGH)
MEMBER(A)


(V.S. AGGARWAL)
CHAIRMAN

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