

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

O.A.No.1667/2019

Dated Monday, the 16th day of December, 2019

PRESENT

Hon'ble Mr.P.Madhavan, Judicial Member

&

Hon'ble Mr.T.Jacob, Administrative Member

Ganapathy C.,

PA No. 41853K, Carpenter (HS-I),

TPT (R&D), LGS Section,

5 BRD, AF Sulur, Coimbatore.

Residing at No. 3/134, Kamaraj Nagar,

Kangayampalayam, Sulur,

Coimbatore 641401.

....Applicant

By Advocate M/s. Giridhar & Sai

Vs

1.Union of India,

rep by Under Secretary,

Government of India,

Ministry of Defence, New Delhi 110011.

2.Air Officer Personnel,

Air Headquarters,

Vayu Bhavan,

New Delhi 110106.

3.The Air Officer Commanding,

5 Base Repair Depot,

Air Force Station,

Sulur, Coimbatore 641401.

....Respondents

By Advocate Mr. Su. Srinivasan

(Order: Pronounced by Hon'ble Mr.P.Madhavan, Member(J))

Heard. The applicant has filed this OA under Section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:

"i. To direct the 3rd respondent to pass orders on the representation of the applicant dated 21.11.2019 seeking to revise the date of promotion of the Applicant to the post of HS I w.e.f. 04.12.2014 instead of 07.01.2015; to place me above my juniors viz S.Arumugam, V.Vijesh, P.N.Gireesh, N.Rajendran, V. Kuppuswamy, B. Chandra Bose, K.J. Anthony George in the seniority list of the post HS-I; to place the name of the applicant before the Departmental Promotional Committee for consideration of promotion to the post of Chargeman, within the time limit prescribed by this Hon'ble Tribunal;

ii. to award costs and pass such further and other orders as may be deemed and proper and thus render justice."

2. The applicant entered the respondent department as Carpenter(Skilled) on 28.01.2003 and was promoted to the post of HS-II w.e.f. 01.01.2006, by order dated 25.05.2011. Thereafter he was promoted to the post of HS-I w.e.f 24.03.2014(date of notification of the new recruitment rules), by order dated 15.07.2014 which was later withdrawn by order dated 20.06.2015 by altering his date of promotion to HS-I as 07.01.2015 (date on which the results of trade test were published) without giving any notice to the applicant. The main grievance of the applicant is that even though the applicant and his juniors cleared the trade test for the post of HS-I on 04.12.2014, his juniors were granted promotion to the post of HS-I w.e.f 04.12.2014(date of passing the trade test),by order dated 07.12.2017, whereas in the applicant's case, the date of promotion has not been revised as 04.12.2014 on par with his juniors thus pushing him down in the seniority list and hence he has filed this OA.

3. When the matter came up for hearing, learned counsel for the applicant would submit that the applicant has filed representation dated 21.11.2019 as Annexure A-13 before the competent authority requesting to revise his date of promotion to the post of HS-I w.e.f. 04.12.2014 and to

place his name before the DPC for the post of Chargeman which is still pending and no order is passed till now. He will be satisfied if the said representation is disposed of within a stipulated time frame.

3. Mr.Su.Srinivasan, SCGSC takes notice on behalf of the respondents and submits that the respondents have no objection for disposal of the representation of the applicant on merits.

4. In view of the limited submission and without going into the merits of the case, the OA is disposed of in the following lines:

"The competent authority is directed to consider the applicant's representation dated 21.11.2019 produced as Annexure A-13 in the light of relevant rules and regulations and pass a reasoned and speaking order, as early as possible, atleast before the next DPC for the post of Chargeman."

**(T.JACOB)
MEMBER (A)**

16.12.2019

M.T.

**(P.MADHAVAN)
MEMBER (J)**