



Central Administrative Tribunal  
Principal Bench

OA No. 4421/2014

New Delhi, this the 11<sup>th</sup> day of February, 2020

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman  
Hon'ble Mr. A. K. Bishnoi, Member (A)**

Jai Prakash Nagar,  
S/o Late Doodh Nath,  
R/o H.No.17A, Gali No.5,  
Raghu Nagar, Pankha Road,  
Dabri, New Delhi-45  
(Applicant was working in Grade  
T-7/8 with IARI, Pusa, New Delhi)

- Applicant

(By Advocate: Shri Chittaranjan Hati)

## Versus

1. Indian Council of Agricultural Research,  
Through its Secretary/DG,  
Krishi Bhawan, New Delhi-1
2. The Director,  
Indian Agricultural Research Institute,  
Pusa, New Delhi-12 - Respondents

(By Advocate: Shri Gagan Mathur)

## **: O R D E R (ORAL) :**

## **Justice L. Narasimha Reddy :**

The applicant was initially appointed as Technician-2-3 on 05.05.1978 in the first respondent organization. On 01.01.1985, he was promoted to the grade T-4 and on 01.07.1990 to T-5. On 03.02.2000, he was promoted to T-6



and thereafter, to the combined grade of T-7-8, on 01.07.2005. Promotion to the next higher post, i.e., T-9 is on completion of seven years of service in the lower grade. He contends that once his promotion to T-6 was on 03.02.2000, the next promotion ought to have been on 03.02.2007 and in such an event, he would have completed seven years before 03.04.2012, the date on which he retired.

2. The applicant approached the National Commission for SC/ST, ventilating his grievance. The Commission addressed a letter dated 07.01.2014 to the first respondent. Through a letter dated 21.05.2014, the first respondent replied, stating that the case of the applicant was examined, and that the recommendation for assessment of the promotion of the applicant from T-5 to T-6 (may be T-6 to T-7-8) w.e.f. 03.02.2000, does not warrant a consideration. It appears that the date 03.02.2000 was rectified as 1.7.2000, earlier.

3. This OA is challenging the reply dated 21.05.2014 and with a prayer to direct the respondents to treat his promotion to T-6, w.e.f. 03.02.2000 and subsequent promotion to T-9 on that basis.

4. The respondents filed a counter affidavit, opposing the OA. It is stated that the whole controversy arose on account



of the promotion of the applicant to T-6 on 03.02.2000 and on verification of record, it was found to be inaccurate and accordingly, through an order dated 24.11.2005, the promotion was treated as having been made on 01.07.2000. The various contentions urged by the applicant are denied.

5. We heard Shri Chittaranjan Hati, learned counsel for the applicant and Shri Gagan Mathur, learned counsel for the respondents.

6. The applicant earned successive promotions from T-2-3 to T-7-8. They were almost extended as and when the residency period in the lower category was completed. It is not in dispute that the applicant was promoted to T-5 on 01.07.1990 and further promotion to T-6 shall be on completion of 10 years of service. However, he was promoted to T-6 on 03.02.2000. This anomaly was noticed at a later point of time and promoted was treated as effective from 01.07.2000. Consistent with that, he was promoted to the combined grade of T-7-8 on 01.07.2005. If the applicant had any grievance about the date of this promotion, he was supposed to raise the issue at the relevant point of time. He waited till he retired on 03.04.2012 and then started pursuing the remedies. The



applicant is not able to demonstrate as to how his promotion to T-6 can be treated as effective from 03.02.2000 when he did not complete the stipulated period the lower grade.

7. We do not find any merit in the OA. It is accordingly dismissed. There shall be no order as to costs.

**(A.K. Bishnoi)**  
**Member (A)**

**(L. Narasimha Reddy)**  
**Chairman**

/1g/