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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

O.A.NO.304/2001

Thursday, this the 29th day of March, 2001

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

Dr. Jawahar Lal Srivastava  
Director  
Indian Grain Storage & Management Research Institute  
C/O Mrs. J.L.Srivastava  
44, Shubham Apartments,  
37, I.P. Extension, Patparganj,  
Delhi-92.

...Applicant.

(By Advocates: Shri Shyam Babu, Shri Rahul Srivastava  
& Ms. Mohna M. Lal)

VERSUS

1. Union of India  
through the Secretary to the Govt. of India,  
Ministry of Consumer Affairs,  
Food & Public Distribution,  
Deptt. of Food and Public Distribution,  
Krishi Bhavan,  
New Delhi-1.

2. Shri B.B.Pattanaik,  
Commercial Manager,  
Central Ware Housing Corporation,  
New Delhi.

Currently on deputation as  
Joint Commissioner (Storage & Reserach)  
Ministry of Consumer Affairs,  
Food & Public Distribution,  
Deptt. of Food and Public Distribution,  
Krishi Bhavan,  
New Delhi-1.

...Respondents

(By Advocate: Shri R.N.Singh for Shri R.V.Sinha)

O R D E R (ORAL)

By Hon'ble Shri Justice Ashok Agarwal:-

Applicant who holds the post of Joint  
Commissioner (Storage & Research), Ministry of Consumer  
Affairs, Food & Public Distribution, is an aspirant for  
promotion to the post of Director which <sup>was due to</sup> ~~post had~~ become  
vacant on 21.1.2001. Instead of promoting the applicant  
on the post with effect from the aforesated date of  
21.1.2001, respondents in breach of the recruitment rules

Ref

(2)

have extended the deputation period of respondent No.2 for a period of four months. This in short is the grievance raised by the applicant in the present OA.

2. Shri R.N.Singh, learned proxy counsel for the respondents has produced for our perusal a communication of the Ministry of Consumer Affairs, Food & Public Distribution, Deptt. of Food & Public Distribution dated 20.3.2001 addressed to the Union Public Service Commission whereby a proposal has been sent for considering the promotion of the applicant to the post which will now fall vacant on 21.5.2001 on which date the extended period of deputation of respondent No.2 will expire and he will be repatriated to his parent department. The communication contains amongst others the following averment:-

"2. Vigilance clearance/ Integrity Certificate in respect of Dr. J.L. Srivastava will follow shortly."

3. In view of the aforestated facts, interest of justice will be adequately met by disposing of the OA with a direction to respondent No.1 to forward all the relevant material including the Vigilance clearance/Integrity Certificate in respect of the applicant to the UPSC expeditiously and in any event within a period of two weeks from the date of service of this order. UPSC in turn will take expeditious steps to hold a DPC also expeditiously and within a period of three weeks from the date of receipt of the aforesaid material from respondent No.1. We direct accordingly.



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(3)

4. Present OA is disposed of in the aforesaid. No costs. ~~terms.~~

5. Parties will be at liberty to serve a copy of this order on UPSC.



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



(Ashok Agarwal)  
Chairman

/sunil/