

(16)

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH
OA No.345/2001

New Delhi, this the 19th day of September, 2002

Hon'ble Shri Justice V.S. Aggarwal, Chairman
Hon'ble Shri M.P. Singh, Member (A)

Raghunandan Kumar
2A, LIG Flat, Pocket B
Hari Nagar, New Delhi-64

... Applicant

(Shri B.K. Aggarwal, Advocate)

versus

Union of India, through

1. Secretary

Ministry of Health & Family Welfare
Nirman Bhavan, New Delhi

2. Director General of Health Services
Nirman Bhavan, New Delhi

... Respondents

(Shri H.K. Gangwani, Advocate)

ORDER(oral)

Shri Justice V.S. Aggarwal, Chairman

The sole grievance of the applicant in the present application is that his juniors have been promoted and respondents should be directed to consider applicant for promotion from the date his juniors have been so given the said benefit. It becomes totally unnecessary for us to ponder further with respect to the prayer made because in the reply filed respondents have themselves submitted as under:

"Keeping in view of the above advise of DoPT, the possibility of promoting Shri Raghunandan Kumar on ad hoc notional basis w.e.f. 17.12.1991 which is the date of promotion of his junior till the date his junior continued to hold a higher post on ad hoc basis or till Sr. Physiotherapist, whichever is earlier, will be considered as per rules."

Ag

⑧ Hon to be read
on 17/12/02 vide
order at 22/4/03 in
H# 338/03

Qfmm
27/4/03
DR(T)

2. Keeping in view the said submission made in the reply, it is directed that the case of applicant shall be considered for promotion w.e.f. 17.12.1991 when his juniors had been given the benefit of Sr. Physiotherapist. This promotion ^{if any} should be on the line as his juniors had been given, with consequential benefits including arrears of pay and allowances.

3. OA disposed of. No costs.

(M.P. Singh)
Member(A)

(V.S. Aggarwal)
Chairman

⑧ Should be read on 17/12/92
File order off 22/4/03 in HA 33/03

efm
22/4/03
DRG)

/gtv/