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CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH

DA No. 2693/99

New Delhi : this the 27<sup>th</sup> day of MARCH, 2001

HON'BLE MR. S. R. ADIGE, VICE CHAIRMAN (A).

Hon'ble DR. A. VEDAVALLI, MEMBER (J)

Krishan Kumar Thakral,  
R/o House No. 26/167,  
West Patel Nagar,  
New Delhi-8

....Applicant.

(By Advocate; Shri N. Ranganath Swamy)

Versus

Union of India,  
through Secretary,  
Ministry of Finance,  
North Block,  
New Delhi.

2. Secretary,  
Deptt. of Company Affairs,  
5th Floor, 'A' Wing, Shastri Bhawan,  
Dr. Rajendra Prasad Marg,  
New Delhi.

.....Respondents.

(By Advocate: Shri K. C. D. Gangwani )

ORDER

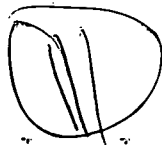
S. R. Adige, VC (A):

Heard both sides.

2. It is not denied that persons senior to applicant in the seniority list have not been granted insitu promotion, claimed by applicant in the present DA, as they are not eligible for the same.

3. In accordance with Finance Ministry's OM dated 20.4.93 and corrigendum dated 27.9.93 one of the conditions to be satisfied before insitu promotion can be granted to applicant is that all his seniors should have been promoted vide para 9 of Annexure-R3. As all applicant's seniors have not been promoted, we are unable to direct respondents to grant applicant insitu promotion.

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4. During hearing applicant's counsel Shri Ranganath Swamy wanted us to read the words "provided all his seniors have been promoted" to mean provided all his seniors who are eligible for insitu promotion have been promoted, but we cannot read words into a Govt. order which do not exist.

5. The OA is therefore dismissed. No costs.

*A. Vedavalli*  
( DR. A. VEDAVALLI )  
MEMBER (J)

*S. R. Adige*  
( S. R. ADIGE )  
VICE CHAIRMAN (A).

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