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Central Administrative Tribunal
Principal Bench

O.A. No. 317 of 1999

New Delhi, dated this the 11th February, 2000

Hon'ble Mr. S.R. Adige, Vice Chairman (A)
Hon'ble Mr. Kuldip Singh, Member (J)

Shri Musaphir Ram,
S/o Shri Palki Ram,
R/o E-11, Press Palace,
Minto Road,
New Delhi-110001. . . Applicant

(By Advocate: Shri Karan Singh)

Versus

1. Union of India through
the Secretary,
Ministry of Urban Development,
Nirman Bhawan,
New Delhi.
2. Director of Printing,
Directorate of Printing,
Nirman Bhawan, New Delhi.
3. The Manager,
Government of India Press,
Minto Road,
New Delhi.
4. Shri D.K. Dass,
Section Holder (Day Shift),
Mono Section, Government of India Press,
Minto Road,
New Delhi. . . Respondents

(By Advocate: Shri Gajendra Giri)

ORDER (Oral)

HON'BLE MR. S.R. ADIGE

Applicant seeks promotion as Section Holder
with effect from 17.11.93 from which date his junior
was promoted.

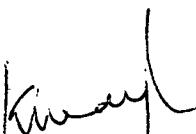
2. We have heard applicant's counsel Shri Karan
Singh and Respondents' counsel Shri Giri.

7

3. Respondents' counsel has invited our attention to the relevant portion of their reply wherein it has been stated that list of names of employees who were eligible for promotion (36 in number) was placed on the notice board and were asked to give their consent before filling up those posts. Out of these 36 employees 13 employees gave their willingness in writing and 16 employees submitted their unwillingness for consideration for promotion and the remaining 7 employees did not turn up to give their consent or otherwise. Applicant ^{was} one of those employees who neither gave his consent for being considered for filling up the post, nor ~~has~~ given his unwillingness in writing.

4. In the light of the above applicant was not considered for promotion as Section Holder. It is pointed that applicant was about to attain the age of 58 years on 30.6.97, ~~as~~ his date of birth being ~~19~~ 1.7.39, and as he would retire at the age of 60 years in the post of Compositor which is the feeder post for promotion to the post of Section Holder, and as applicant would retire at the age of 58 years in the post of Section Holder, ~~applicant~~ ^{he} was reluctant to give his consent for being promoted to the post of Section Holder, but it is only after the age of retirement for the post of Section Holder was raised to 60 years by the Government ^{that} this O.A. has been filed.

5. These averments which are clear and categorical have not been rebutted by applicant in his rejoinder and under the circumstances we find no grounds to interfere in the O.A. which is dismissed. No costs.



(Kuldip Singh)
Member (J)

'gk'



(S.R. Adige)
Vice Chairman (A)