

CENTRAL ADMINISTRATIVE TRIBUNAL
Principal Bench

O.A. No. 597 of 1999

New Delhi, dated this the 29th AUGUST 2001

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HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)
HON'BLE DR. A. VEDAVALLI, MEMBER (J)

Shri Suresh Kumar Sharma,
S/o late Shri H.P. Sharma,
R/o FB-64, Lajpat Nagar,
Sahibabad,
Ghaziabad, U.P.

.... Applicant

(By Advocate: Shri B.B. Raval)

Versus

1. Union of India through
the Chairman,
Railway Board and
Ex-Officio Principal Secretary,
the Ministry of Railways,
Rail Bhawan,
New Delhi-110001.
2. The Secretary,
Railway Bhawan,
Ministry of Railways,
Rail Bhawan, New Delhi-110001 .. Respondents

(By Advocate: Shri V.S.R. Krishna)

ORDER

Mr. S.R. Adige,

Applicant impugns respondents' order dated 8.9.98 (Annexure A) rejecting his prayer for holding a review DPC and seeks a direction to respondents to promote him to Jr. Administrative Grade as well as Sr. Administrative Grade of IRSEE along with his batchmates w.e.f. June, 1985 and January, 1996 respectively with all consequential benefits.

2. Heard both sides.

3. Admittedly applicant joined IRSEE in Group 'A' on 26.4.77 For promotion to JAG of IRSEE, 8 years of service in Group 'A' is essential

and in February, 1985 respondents initiated action to prepare a panel of Group 'A' officers who had completed 8 years service as on 31.3.85. The panel was approved on 1.6.85, but as applicant had not completed 8 years service as a Group 'A' officer on 31.3.85, he was not empanelled that year, and was empanelled in J.A.G. only in the next year on 3.6.86. Respondents are on record in Para 4.6 of their reply as stating that none junior to applicant was empanelled in JAG and this assertion has not been denied by applicant in his rejoinder.

4. In so far as applicant's claim for promotion to SAG w.e.f. January, 1996 is concerned, there is no averment in the body of the O.A. that anyone junior to him was promoted to SAG w.e.f. January, 1996. Applicant who was on deputation to Centre for Railway Information System (CRIS) was repatriated to his parent department in July, 1996. As correctly pointed out by respondents, even if applicant was promoted to SAG in CRIS w.e.f. 1.1.96 with whom he was on deputation, that does not entitle him to the same benefit on his repatriation to the Railways and he could be considered for promotion to SAG in the Railways only in his turn. Applicant was subsequently empanelled and promoted to SAG vide order dated 29.4.97 (Ann. A-1).

5. In the above facts and circumstances the O.A. warrants no interference. It is dismissed. No costs.

A. Vedavalli

(Dr. A. Vedavalli)
Member (J)

S.R. Adige

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

karthik