

(7)

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI

OA NO. 972/98

New Delhi, this the 25th day of September, 2000

HON'BLE MR. JUSTICE V. RAJAGOPALA REDDY, VICE CHAIRMAN (J)  
HON'BLE MR. GOVINDAN S. TAMPI, MEMBER (A)

In the matter of:

G.P. Bhatia S/o Late Sh. G.D. Bhatia  
Senior Administrative Officer,  
National Bio Fertilizer Development Centre,  
B-204, C.G.O. Complex-II,  
Kamla Nehru Nagar,  
Ghaziabad-201 002 (U.P)

VS.

1. Union of India through  
Secretary, Ministry of Labour,  
Shram Shakti Bhawan,  
New Delhi-1.
2. Sh. Navdeep Sud,  
Senior Labour Officer,  
East Block-IV, Level-II,  
C.P.W.D.,  
R.K. Puram,  
New Delhi-110022.

(By Advocate: Sh. R.P. Aggarwal and Sh. M.K. Gaur)

ORDER (ORAL)

By Mr. Justice V. Rajagopala Reddy,

None appears for the applicant who appears in person.

Heard the counsel for the respondents.

2. The applicant is a Member of a Central Labour Service who had been joined in Grade V of the service in 1987. He joined the post of Senior Administrative Officer, National Fertilizer Development Centre, Ghaziabad on 22.1.88. Ad hoc promotions have been made from Grade V to Grade IV of the service. The grievance of the applicant in this case is that though he was eligible for consideration for ad hoc promotion his juniors have been promoted on ad hoc basis and he was denied the same. The present OA is, therefore, filed to quash this ad hoc promotion of juniors and grant ad hoc promotion to him with effect from the date when his juniors have been promoted. It is the stand of the respondents that in January 1988 the

applicant had been selected to the post on deputation with the Ministry of Agriculture for a period of 3 years. By order dated 16.3.98 ad hoc promotions have been made and the applicant having been considered was also promoted on ad hoc basis. The respondents have also sent an intimation to the Ministry of Agriculture seeking his availability in the parent department for being posted in Grade IV on ad hoc basis. The Ministry of Agriculture, however, declined by its proceeding dated 2.6.98 to make the applicant available in public interest and intimated that he would be retained till a substitute has been posted in his post. Hence, the respondents had promoted those who are junior to the applicant. It is argued by the learned counsel for the respondents that the applicant cannot have any grievance as he was considered for promotion but was not made available by the Ministry of Agriculture.

3. We have considered the pleadings in this case and the grounds in the OA. We do not find any merit in the OA. Since applicant had been considered and promoted on ad hoc basis, but he could not be actually appointed as such as he was not made available by the Ministry of Agriculture. It is also seen that the applicant had been working in the Ministry of Agriculture in a higher post where he is ~~also~~ found to have earned further promotion. He should therefore have no grievance. The OA, therefore, fails and is accordingly dismissed. No costs.

( GOVINDAN S. TAMPI )  
Member (A)

( V. RAJAGOPALA REDDY )  
Vice Chairman (J)

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