

(2)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI

O.A. No. 1532/95

New Delhi this the 15th day of September 1995

Hon'ble Shri A.V. Haridasan, Vice-Chairman (J)

Hon'ble Shri R.K. Ahooja, Member (A)

V.K. Jambholkar,  
71/A-3, Sector-3,  
Rohini, Delhi-85.

....Applicant

(Advocate By Shri Rajeev Sharma)

Versus

1. Union of India  
through its Secretary,  
Ministry of Urban Development,  
Nirman Bhawan,  
New Delhi.
2. Director General (Works),  
C.P.W.D., Nirman Bhawan,  
New Delhi.
3. The Deputy Secretary,  
Ministry of Urban Development,  
Nirman Bhawan,  
New Delhi.

.....Respondents

ORDER (Oral)


Hon'ble Shri A.V. Haridasan, Vice-Chairman (J)


The applicant is a Senior Executive Engineer in CPWD. A departmental Disciplinary Proceedings initiated against him vide memorandum of charge 18.8.89 is still pending though the enquiry report was submitted by the Enquiry Officer on 4.3.94. The applicant is aggrieved by the fact that owing to the pendency of the disciplinary proceedings he is not even being promoted on adhoc basis as Superintending Engineer though many juniors of him have been promoted. Hence he has filed the application praying for quashing the disciplinary proceedings, and for a

direction to the respondents to promote him as Superintending Engineer, on the basis of the recommendation of the DPC which is kept in the sealed cover or to promote him on adhoc basis.

2. On receipt of order Shri Sudan appeared for respondents. The Learned Counsel of the applicant submitted that the applicant will be satisfied if the application is disposed of directing the respondent to consider the applicant's case for adhoc promotion in accordance with the OM No. 22011/4/91 Estt (A) dated 14.9.94 of the Govt of India Department of Personnel & Training. Shri Sudan stated that the respondents have no objection in disposing of the application with such a direction.

3. In the light of the statement of the learned counsel on either side the application is finally disposed of with a direction to the respondent to consider the case of the applicant for adhoc promotion in accordance with the Government of India instructions contained in OM No.22011/4/91 dated 14.9.94 and to intimate the request thereof to the applicant within a period of two months from the date of receipt of this order. There is no order as to costs.

  
(R.K. AHODIA)  
Member(A)

  
(A.V. HARIDASAN)  
Vice-Chairman (J)

cc.