

Central Administrative Tribunal  
Principal Bench, New Delhi

OA No.1586/95

New Delhi this the 29th day of August 1995.

Hon'ble Mr A.V.Haridasan, Vice Chairman (J)  
Hon'ble Mr R.K.Ahooja, Member (A)

S.Gopala Rao  
R/o F-100/5, Sudh Nagar  
Phase.II, Solanki Building  
Palam Colony  
New Delhi - 110 045

..Applicant.

(Through Shri K.L.Bhandula, advocate)

Versus

1. Union of India through  
Secretary to the Govt. of India  
Ministry of Agriculture  
Krishi Bhawan  
New Delhi.
2. The Director General  
Indian Council of Agricultural Research  
Krishi Bhawan  
New Delhi

...Respondents.

O R D E R (Oral)

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

The applicant who is working as Junior Engineer in category II (T-II-3) in the ICAR has prayed that the respondents may be directed to appoint him as Assistant Engineer (Civil) in T-5 grade of category-II or to promote him in the promotion quota to that post, or in the alternative for a direction to the respondents to compensate him for the additional duties which he is performing. The basis for the claim of the applicant to appoint him as Assistant Engineer (Civil) is that he was called for and appeared in the interview in which he states he has done exceedingly well. The basis for the claim of the applicant to appoint him to that post in the promotion quota is that he is eligible to be promoted in that quota. Presently he has been asked to perform the duties of the post of Assistant Engineer in addition to the duties of the post of Junior Engineer which he is holding. We have perused the application and the connected materials on record and have heard learned counsel for the applicant.

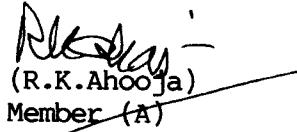
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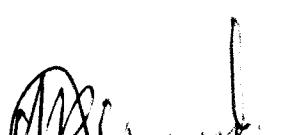
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2. Regarding the claim of the applicant for appointment on the basis of the interview which he had attended, we are of the considered view that in the absence of any evidence before us that he is number one in the panel, no such direction can be given. Regarding his claim for promotion to the post of Assistant Engineer, there is no allegation that his name while it was due for consideration was not considered alongwith others in accordance with law. So regarding that claim also the application is premature. Coming to the last relief prayed for by the applicant for compensating him for the additional work done by him by looking after duties of the post of Assistant Enginner in addition to the post of Junior Engineer, he made his first representation only on 14th July 1995. We are of the considered view that he should have waited for some time and should not have rushed to the Tribunal shortly after making his representation.

3. In view of what is stated above, we are of the considered view that the application is premature and liable to be rejected. The application is, therefore, rejected under section 19 (3) of the AT Act.

When the dictation was over, learned counsel for the applicant seeks permission to withdraw the application. The request is granted. The application is disposed of as withdrawn.

  
(R.K. Ahooja)  
Member (A)

  
(A.V. Haridasan)  
Vice Chairman (J)

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