

Central Administrative Tribunal  
Principal Bench

O.A. No. 245 of 1995

New Delhi, dated this 11th November, 1999

Hon'ble Mr. S.R. Adige, Vice Chairman (A)  
Hon'ble Mrs. Lakshmi Swaminathan, Member (J)

Shri V.K. Jambholkar,  
R/o 71/A-3 Sector 3, Rohini,  
New Delhi-110085. ... Applicant

(None appeared).

Versus

1. Union of India through  
the Secretary,  
Ministry of Urban Development,  
Nirman Bhawan, New Delhi.
2. Director General (Works),  
C.P.W.D., Nirman Bhawan,  
New Delhi.
3. The Dy. Secretary,  
Ministry of Urban Affairs & Employment,  
Nirman Bhawan, New Delhi. ... Respondents

(By Advocate: Shri D.S. Mahendru)

ORDER (Oral)

BY HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)

Applicant impugns Respondents' order dated 11.12.95 (Annexure A-1) and seeks a direction that he may be promoted as Superintending Engineer as provided under O.M. dated 14.9.92 during the pendency of the Disciplinary Proceedings against him.

2. None appeared on behalf of applicant even on the second call when the case was called out. Shri Mahendru appeared for respondents and has been heard. Furthermore, this case was listed at S1. No. 7 of List for regular hearing cases in today's

cause list. This is an old case of 1995 and there is a superscription on the top of the list that cases of 1995 and earlier would not be adjourned. Therefore, we are proceeding to dispose of this case after hearing the respondents' counsel and perusing the materials on record.

3. Shri Mahendru has invited our attention to those Paragraphs of Respondents' reply wherein it has been pointed out that Disciplinary Proceedings are in progress against applicant and after consideration of his case, the DPC's recommendations for promotion in respect of applicant have been kept in a sealed cover. It has been stated that Disciplinary Proceedings against applicant have still not concluded.

4. These averments have not been denied by applicant in any rejoinder filed by applicant and none appeared on behalf of applicant to rebut the foregoing averments of respondents.

5. It is clear that Respondents have acted in accordance with DP&T's O.M. dated 14.8.92 and under the circumstances the O.A. warrants no interference. It is dismissed. No costs.

*Lakshmi Swaminathan*  
(Mrs. Lakshmi Swaminathan)

Member (J)

/GK/

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