

CENTRAL ADMINISTRATIVE TRIBUNAL
Principal Bench

O.A. No. 1296 of 1996

New Delhi, dated this the 2nd AUGUST 2000

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

Shri V.P. Joshi,
S/o Shri B.R. Joshi,
R/o Sector-12, Qr. No. 65,
R.K. Puram,
New Delhi-110022.

Applicant

(By Advocate: Shri B.T. Kaul)

Versus

1. Union of India through
the Secretary,
Ministry of Textiles,
Udyog Bhawan, New Delhi.

2. The Development Commissioner (Handicrafts),
Ministry of Textiles,
West Block 7, R.K. Puram,
New Delhi.

Respondents

(By Advocate: Shri S.M. Arif)

ORDER

Mr. S.R. Adige, VC (A)

Applicant impugns respondents' order dated 7.6.96
(Annexure-A1) reverting him from the post of Store Supervisor
to that of Store Clerk.

2. Heard.

3. Admittedly there are two posts of Stores Supervisor
in respondents Organisation. The method of filling up
these two posts is 50% by promotion from amongst Store
Clerks and 50% by direct recruitment. However both posts
happened to be filled by promotees. Consequent to the
retirement on superannuation of one of the incumbents,
applicant was promoted on adhoc basis by order dated
17.5.95 for six months or till the post was filled up
on regular basis, whichever was earlier, and that adhoc
promotion was extended for a further period of six months,
upon the conclusion of which applicant was reverted by

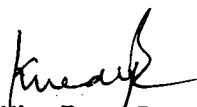
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impugned order dated 7.6.96.

4. Respondents state that this vacancy on which applicant was promoted on adhoc basis has to be filled through direct recruitment and in the light of the facts noticed in para 3 above, it is difficult not to agree with them.

5. During hearing applicant's counsel asserted that a proposal is under respondents' consideration to amend the RRs such that both posts of Store Supervisors are filled up by promotion, whatever might be the ^{facts} ~~facts~~ of that proposal, at this moment of time, applicant has no enforceable legal right to compel respondents to promote him as Store Supervisor, and on the face of the RRs as they presently stand, the rulings in Dr. Sangeeta Narang's case ATR 1988(1) CAT 556 and 1991(16) ATC 9 relied upon by Shri B.T. Kaul do not adverse applicant's case.

6. The OA is dismissed. No costs.


(KULDIP SINGH)
MEMBER(J)


(S.R. ADIGE)
VICE CHAIRMAN(A)

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