

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. NO. 1625/1996

(A)

New Delhi this the 21st day of February, 2000.

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN

HON'BLE SMT. SHANTA SHAstry, MEMBER (A)

Smt. Bimla Rani W/O Uttam Chand,
working as Safaiwali in Group 'D'
cadre (NTC) in Rameshnagar Head
Post Office,
New Delhi-110015.

... Applicant

(By Shri Sant Lal, Advocate)

-Versus-

1. Union of India through
Secretary, Ministry of
Communications, Deptt. of Posts,
Dak Bhawan,
New Delhi-110001.

2. Chief Postmaster General,
Delhi Circle, Meghdoot Bhawan,
New Delhi-110001.

3. Senior Postmaster,
Ramesh Nagar H.O.,
Ramesh Nagar,
New Delhi-110015.

... Respondents

(By Shri Madhav Panikar, Advocate)

O R D E R (ORAL)

Shri Justice Ashok Agarwal :

Applicant by the present O.A. seeks promotion under the 20% selection scheme. Applicant was appointed as Safaiwali in Group 'D' Non-Test Category (NTC) in the office of respondent No.3 on 21.8.1979. There are four posts of NTC Group 'D' sanctioned in the office of respondent No.3. All the said posts are manned. At present applicant is the seniormost amongst all the four NTC Group 'D' employees. She is

drawing the maximum pay in the pay scale of Rs.750-940, she having reached the maximum of the scale on 1.8.1994. (5)

2. Applicant in her representation dated 13.10.1995 claimed promotion under the 20% selection scheme on her completing the requisite five years' service w.e.f. 21.8.1984. During 1984 applicant, however, was not the seniormost official in the cadre and another official Smt. Bhag Jogni (water woman) was the seniormost and was eligible for promotion. She has since retired from service on 30.11.1991 whereafter applicant has become the seniormost. Applicant, in the circumstances, even on the showing of respondents, has become entitled to the said promotion w.e.f. 1.12.1991. According to respondents, case of applicant for in situ promotion is under active consideration. In our view, in case applicant has become entitled to the said promotion, w.e.f. 1.12.1991, it is difficult to fathom why respondents have not been able to decide her claim though a period of over nine years has gone by.

3. In the circumstances, we direct, the respondents to consider the claim of the applicant for promotion expeditiously. This be done within a period of three months from the date of service of this order. It goes without saying that in case the applicant is found eligible her promotion will relate back to 1.12.1991 and she will be entitled to all consequential benefits.

(b)

4. Present O.A. is disposed of with the aforesaid directions. Respondents will pay applicant costs of the O.A. which are quantified at Rs.3,000/- (rupees three thousand).


(Ashok Agarwal)
Chairman


(Shanta Shastry)
Member (A)

/as/