

Central Administrative Tribunal
Principal Bench

O.A. No. 556 of 1996

New Delhi, dated this the 24th January, 2000

Hon'ble Mr. S.R. Adige, Vice Chairman (A)
Hon'ble Mr. Kuldip Singh, Member (J)

Shri Ram Avatar,
S/o Shri Kanhaiya Lal,
Electrician HS-II,
O/o the Garrison Engineer (P),
Hissar Cantt. ... Applicant

(By Advocate: Shri S.C. Saxena)

Versus

1. Secretary,
Ministry of Defence,
South Block, New Delhi.
2. Office of the Engineer-in-Chief,
E-in-C Branch, Army Headquarters,
Kashmir House, New Delhi.
3. Headquarter,
Chief Engineer, Western Command,
engineers Branch, Chandimandir, Chandigarh.
4. CWE (P), Hissar Cantt.
5. GE (P) No.1, Hissar Cantt.
6. MES-366109 Shri P.C. Kaushik,
Electrician HS Grade II,
Office of the Garrison Engineer (P) I,
Hissar Cantt. ... Respondents

(By Advocate: Shri V.S.R. Krishna)

ORDER (Oral)

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

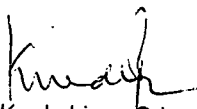
Applicant impugns Respondents' order dated 8.4.95 (Annexure A-1) and prays for promotion as Electrician Highly Skilled Grade II in place of Shri Prem Chand Kaushik, SBA whom applicant claims was not mentioned in the orders/instructions dated 15.10.84.


2. We have heard applicant's counsel Shri S.C. Saxena and respondents' counsel Shri V.S.R. Krishna.

3. This O.A. was filed as far back as 29.2.96. Respondents have not filed their reply despite their counsel appearing on successive dates and taking adjournments for the same.

4. The main ground taken by applicant's counsel is that Shri Prem Chand Kaushik was working as S.B. Assistant, which is not in the promotional channel in the promotion of Electrician HS Gr. II, as would appear from Respondents' order dated 4.7.85 (Annexure A-3).

5. This O.A. is disposed of with a direction to Respondents to examine applicant's claim for promotion as Electrician HS Gr. II in place of Shri P.C. Kaushik, who has been impleaded as Respondent No.6 in the O.A. and who has also not filed his reply despite service of notice. Respondents will pass a detailed, speaking and reasoned order within three months from the date of receipt of a copy of this order. Respondents should not, however, pass orders adverse to the interest of Shri P.C. Kaushik without giving ^{him} a reasonable opportunity of being heard. No costs.


(Kuldip Singh)
Member (J)


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

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