

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

RA.No.245/2000
in
OA No.2641 of 1996

New Delhi, this 25th day of August, 2000

HON'BLE MR. JUSTICE ASHOK AGARWAL, CHAIRMAN
HON'BLE MRS. SHANTA SHASTRY, MEMBER(A)

Balwant Singh ... Applicant

(By Advocate: Mr. Y.K. Dullar - not present)

versus

Govt. of N.C.T.D. & Ors. ... Respondents

Order(oral)

By Justice Ashok Agarwal

Present Review Application seeks review
of our order passed on 29.5.2000 in OA.2641/96.

2. In the aforesaid OA, the applicant had claimed promotion to List-F(Executive) with retrospective effect from 12.2.1991 instead of 11.11.1993 when he was promoted. According to him, he was entitled to be promoted with retrospective effect from a date when his juniors were promoted. Aforesaid claim has been rejected by us by observing that the post of List-F (Executive) is a selection post. The applicant along with his juniors was considered by the DPC on 11.2.1991 when he was declared unfit. His juniors were accordingly promoted. It was only in 1993 when he was found fit by the DPC that he was promoted. Claim of the applicant was thus rejected on the ground that the said post was a

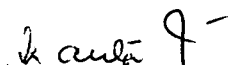
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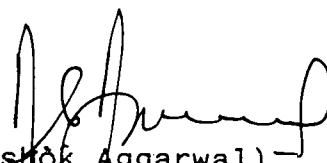
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selection post. Applicant was duly considered but was found unfit. In the circumstances, his juniors were promoted whereas he was not.

3. By the present Review Application applicant contends that he was not selected by the DPC because a particular disciplinary proceeding was pending against him, which proceeding has now been dropped. The aforesaid contention has no force as he was not earlier promoted not on the ground of the pendency of the disciplinary proceedings but on the ground that he was found unfit.

4. The present Review Application, in the circumstances, is devoid of merit. The same is accordingly dismissed. There shall, however, be no order as to costs.


(Mrs Shanta Shastri)
Member(A)


(Ashok Aggarwal)
Chairman

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