

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH  
NEW DELHI

O.A. No.135 of 1997 decided on 23.1.1998.

1. Name of Applicant :Shri Som Nath Pruthi

By Advocate : Shri A.K.Trivedi

Versus

Name of respondent/s Union of India & ors

By Advocate : Shri V.S.R.Krishna ~

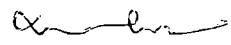
Corum:

Hon'ble Dr. Jose P.Verghese, Vice Chairman(J)

Hon'ble Mr. N. Sahu, Member (Admnv)

1. To be referred to the reporter - Yes/No

2. Whether to be circulated to the -Yes/No  
other Benches of the Tribunal.

  
(N. Sahu)  
Member (Admnv)

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

Original Application No.135 of 1997

New Delhi, this the 23<sup>rd</sup> day of January, 1998

Hon'ble Dr. Jose P. Verghese, Vice Chairman(J)  
Hon'ble Mr. N. Sahu, Member(Admnv)

(13)

Shri Som Nath Pruthi, S/o late N.C.Pruthi,  
Aged about 56 years, R/o 16/2, Sector-I,  
Pushp Vihar, New Delhi -17, working as  
Supdt. B/R Grade-I in the Office of  
Garrison Engineer(AF), Tuglakabad, New  
Delhi - 110 062 - APPLICANT

(By Advocate - Shri A.K.Trivedi)

**Versus**

1. Union of India, through its Secretary,  
Ministry of Defence, South Block, New  
Delhi - 110 011

2. Engineer-in-Chief, E-in-C's Branch, Army  
Headquarters, Kashmir House, DHO, PO, New  
Delhi - 110 011 - RESPONDENTS

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

**JUDGMENT**

By Mr. N. Sahu, Member(Admnv) -

The prayer in this Original Application is for a direction to review the promotion proceedings to consider the applicant's name for promotion to the grade of Assistant Engineer and place him at serial no.56 in the promotion panel dated 1.1.1997. He claims that he had an unblemished record and he was not communicated any adverse report during his career. He was arbitrarily ignored and his juniors were promoted.

2. The respondents after notice submit that the name of the applicant was considered but he could not make the required grade for promotion. A DPC for



promotion from Superintendent B/R Grade I (Group-C) to Assistant Engineer Grade-B was held on 17.12.1996 for vacancies pertaining to the year 1996-97. 160 Superintendents Grade-I were considered. The bench mark was 'Good' for promotion. (A)

3. An MA was filed for calling the relevant records. We have accordingly requisitioned the DPC minutes. We noticed that the applicant was graded "average". A few others were also graded as "average" and persons who were graded as average were not included in the panel for promotion. The reports of the applicant as of others were considered for the last 8 years and the grading was given. An average grading is certainly inferior to a good grading which is the bench mark.

4. We have considered the submissions of the learned counsel for both the sides. We are satisfied that there is no merit in this Original Application. A Government servant has only a right to be considered for promotion. Promotion itself is not a matter of right. It is conferred only on fulfilment of certain minimum eligibility conditions as well as a satisfactory performance. We are satisfied that the DPC had considered the applicant's case along with others and we have no reason to believe that the grading of average was not in accordance with the records. We have also no reason to interfere with

the gradings and the findings of the DPC. The  
Original Application is dismissed. No costs.

N. Sahu

(N. Sahu)  
Member (Admnv)

(Dr. Jose P. Verghese)  
Vice Chairman (J)

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(15)