

(2)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA.No.877 of 1997
MA.No.961 of 1997

Dated New Delhi, this 21st day of April, 1997.

HON'BLE MR JUSTICE K. M. AGARWAL, CHAIRMAN
HON'BLE MR K. MUTHUKUMAR, MEMBER(A)

G. D. Papnoi
S/o Shri Gangaram
R/o H.No.5/31, Risal Singh Nagar, ITI Road,
ALIGARH 202 001 (U.P.) ... Applicant

By Advocate: Mrs Asha Gopalan Nair

versus

1. Union of India,
through its Secretary
Ministry of Industries
NEW DELHI.
2. The Development Commissioner
Small Scale Industries Department
7th Floor, Nirman Bhavan
Ministry of Industries
NEW DELHI.
3. The Director
SISI, Sakinaka
Andheri Road
BOMBAY-400072. ... Respondents

O R D E R (Oral)

Mr Justice K. M. Agarwal, Chairman

Heard the learned counsel for the applicant on admission.

2. The application is belated. The delay is said to be of about twenty months. We have also heard the learned counsel on merits. By this application, the applicant wants to take the benefit of scheme introduced in the year 1991.

According to the learned counsel, the applicant reached the maximum of the pay scale of Rs.1400-2300 on 1.6.1990. As the scheme

contemplated atleast one promotion in service career to each 'C' & 'D' group employees, he was entitled to promotion with effect from 1.4.1991 in terms of the Office Memorandum dated 13.9.1991 of the Ministry of Finance.

3. We are not convinced with the arguments. Had there been stagnation in the pay scale for a considerable time, the applicant could claim atleast relief by way of in-situ promotion. Only after or within one year from the date of reaching the maximum of his pay scale, the applicant could not claim promotion. Further we are informed that the applicant has retired from service in June 1996. Under these circumstances, we are of the view that the applicant can get no relief from the Tribunal. Accordingly, the OA is hereby summarily rejected.

KM
(K. M. Agarwal)
Chairman

LM
(K. Muthukumar)
Member (A)

dbc