

Central Administrative Tribunal
Principal Bench

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R.A. No. 194 of 1993

in
O.A. No. 851 of 1993

New Delhi, dated this the 27th March, 2000

Hon'ble Mr. S.R. Adige, Vice Chairman (A)
Hon'ble Mr. P.C. Kannan, Member (J)

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In the matter of

O.P. Sharma Vs. Union of India & Anr.

Shri O.P. Sharma .. Review Applicant

Versus Versus

Union of India & Anr. .. Review Respondents

ORDER (By Circulation)

Mr. S.R. Adige, VC (A)

Persused the R.A.

2. In the R.A. it has been contended that applicant is seeking promotion against one of the three posts of Chief Draftsmen sanctioned on 26.10.91 as a result of cadre review, which was to be filled up through modified selection procedure, on the basis of service records alone without holding any written and/or viva voce test, which was not covered by the interim orders of C.A.T., Allahabad Bench dated 24.9.90 in O.A. No. 448/90.


3. The order dated 21.1.94 (Annexure R-1 to O.A.) vacating the interim order dated 24.9.90 makes it clear that the aforesaid interim order restrained respondents from holding and finalising the selection to the post of Chief Draftsmen. Even if the three additional posts of draftsmen sanctioned on 26.10.91 were to be filled up through a modified selection procedure, the fact remains that it was also a selection which was hit by the interim order dated 24.9.90. Indeed from respondents' reply it is clear that two more posts of Chief Draftsmen became available w.e.f. 1.3.93,


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which was also hit by the interim order dated 24.9.90, which was vacated only on 21.1.92, by which time applicant had retired on superannuation on 31.12.92.

4. There is no averment either in the O.A. nor in the R.A. that any one immediately junior to applicant was promoted as Chief Draftsman during the operation of the interim orders dated 24.9.90 by ignoring applicant's own claim for promotion.

5. The impugned order dated 30.7.99, therefore, warrants no interference and is rejected.


(P.C. Kannan)
Member (J)


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

/GK/