

10. 10

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

O.A. No.56/89

Seventh day of February, 1994.

SHRI J.P.SHARMA, MEMBER(J).

SHRI B.K.SINGH, MEMBER(A).

S.S. Bawa (MES-300117),
son of Shri H.S. Bawa,
resident of 11/4, East Patel Nagar,
New Delhi-110008,
presently employed as Executive Engineer
working as Staff Officer (II) (WES),
in the office of the H.Q. Chief Engineer,
Shillong Zone, S.E. Falls,
Shillong(Meghalaya),
Pin-793 011.

...Applicant

By advocate : Shri S.N.Misra along with
Shri R.C.Bhatia and Mohd.
Kazim Sher.

Versus

1. Union of India through Secretary,
Ministry of Defence,
Govt. of India, South Block,
New Delhi-110011.
2. Engineer-in-Chief, Army HQ,
Kashmir House, New Delhi-110011.
3. Chief Engineer, HQ Western Command,
Chandimandir, Pin-134107.
4. Chief Engineer, HQ Bhatinda Zone,
Bhatinda Cantt, Pin-151001.
5. Chief Engineer, HQ Shillong Zone,
S.E. Falls, Shillong,
Meghalaya, Pin-793011.
6. Commander Works Engineer (P),
Bikaner Cantt, Bikaner,
Rajasthan, Pin-334001.

...Respondents

By advocate : Mrs. Raj Kumari Chopra.

ORDER (ORAL)

SHRI J.P.SHARMA:

The applicant is employed as Executive Engineer
and at the relevant time when he filed this application
on 9-1-89 was working as Staff Officer (II) (WES) in the

↓

office of Headquarter Chief Engineer, Shillong Zone, S.E. Falls. The applicant has assailed the order dated 15-7-88 received by him on 29-9-88 passed by Engineer-in-Chief, Army Headquarters, Kashmir House, New Delhi and another letter dated 19-8-87 received by him on 2-9-87 passed by Chief Engineer, Headquarter Western Command, Chandimandier.

2. The grievance of the applicant is against the adverse/remedial remarks recorded in the A.C.R. of 1986 (A-7) which are reproduced below :

" Technically well qualified, the offr should make conscientious efforts to improve quality of works to be an effective executive. Will do well if he also goes into full details of a maintenance problem. he is not yet fit for promotion to higher grade in his turn. He does not have any special characterstics or any outstanding merits or abilities which would justify his advancement and special selection for higher appt out of turn. He is not suitable for other specialised spheres of wk. He is an average GE. "

Aggrieved by the same, the applicant made a representation. Later, the representation was rejected maintaining the aforesaid adverse remarks of the applicant.

3. The respondents in their reply contested the application on the ground that the applicant has been assessed on merits in the period under review by the competent authorities and he has been duly informed about his shortcomings by various letters issued to him in October 1985, December 1985, January 1986 and February 1986 annexed with the counter as R-1 to R-4, respectively. We have also gone through these letters.

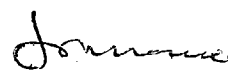
contd...3.

The applicant has also taken a number of grounds to assail the report and also filed a rejoinder reiterating the points already taken in the application and denying the various averments made by the respondents in the counter.

4. We heard the learned counsel at considerable length. The learned counsel for the applicant, however, gave a statement at the Bar that he does not want to press this application particularly in view of the fact that adverse remarks relate to a period ending March, 1986 and now more than eight years have since passed. Normally, five years' entries in the annual confidential rolls are taken into account for assessing a person for higher post.

5. In view of the above facts and circumstances, the application is dismissed. No costs.


(B.K.SINGH)
MEMBER(A)


(J.P.SHARMA)
MEMBER(J)

'Kalra'
08021994.