

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI.

O.A. 151/88.

Date of decision: 25.5.1993.

M.D. Padhye.

Petitioner.

Versus

Union of India & Ors.

Respondents.

CORAM:

THE HON'BLE MR. JUSTICE V.S. MALIMATH, CHAIRMAN.
THE HON'BLE MR. B.N. DHOUNDIYAL, MEMBER(A).

For the Petitioner. None.

For the Respondents. None.

JUDGEMENT (ORAL)

(By Hon'ble Mr. Justice V.S. Malimath, Chairman)

The petitioner has a grievance that the select list of promotions to Grade III of the Indian Statistical Service was arbitrary and with malafide intention the respondents had delayed the same to deprive the petitioner of his promotion and that, therefore, interference of the Tribunal for granting relief to the petitioner is called for.

2. The petitioner retired on 31.8.1987. The select list of promotions was prepared on 1.9.1987. From the material placed before us in the reply filed by the respondents, we find that the Departmental Promotion Committee met on 9.7.1987 and made a panel of 44 officers. Though the petitioner's name was included at Serial No.31, it was later modified to No.32 on further review. The proceedings of the DPC were approved by the competent authority

on 28.7.1987. The orders were issued by the Secretary, Department of Statistics, on 1.9.1987. A bare look at these dates does not give an impression that there is an inordinate delay in the matter of completing the process of select list for promotions. It is explained in the reply that the posts to which promotions are made are not located in the Statistical Department, but are spread over a number of Ministries/Departments. It is further stated that suitability of the officers for a given vacancy, in the light of his background, qualifications and experience, has to be taken note of, to the extent feasible in deciding the postings. Thus, it is explained that it took some time. The actual postings in respect of first 32 officers recommended by the DPC were approved by the Secretary, Department of Statistics, on 31.8.1987 and the orders were actually issued on 1.9.1987. We are satisfied from the materials placed before us that the action taken by the respondents is neither arbitrary nor malafide. It is not the case of the petitioner that any particular named officer was inimical towards the petitioner or was interested in favouring the other. A bald assertion of the petitioner does not call for interference. This petition fails and is, therefore, dismissed. No costs.

B.N. Dhoundiyal
(B.N. DHOUNDIYAL)
MEMBER(A)

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V.S. Malimath
(V.S. MALIMATH)
CHAIRMAN