

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

OA No-1015/2020

New Delhi, this the 11th day of August, 2020

(Through Video Conferencing)



**Hon'ble Sh. A.K. Bishnoi, Member (A)
Hon'ble Sh. R.N. Singh, Member (J)**

Prof (Dr.) J. Sundaresan Pillai, Head (retired),
Research and Business Development Division
CSIR-NISCAIR, New Delhi – 110012.

....Applicant

(through Sh. Ramy Chacko with Sh. Shakti Chand Jaidwal)

Versus

1. Union of India (through),
Secretary, Department of Scientific and
Industrial Research (DSIR) , Anusandhan Bhavan,
Rafi Marg, New Delhi-110 001
Email: dgcsir@csir.res.in

2. The Director General
Council of Scientific and Industrial Research
Anusandhan Bhavan, Rafi Marg
New Delhi – 110001
Email: dgcsir@csir.res.in

3. Director
CSIR-NISCAIR, Dr. K S Krishnan Marg
Pusa Campus, New Delhi-110012
Email: director@niscair.res.in ...Respondents

(through Sh. S.N. Verma)

ORDER (ORAL)**Hon'ble Sh. R.N. Singh, Member (J)**

The present Application has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 to challenge the Office Memorandum dated 09.06.2020 (Annexure A/1) to the extent that he has been held not fit for promotion. The applicant has prayed for the following relief in the present OA:-

“(a) To call for the records of the Applicant and after perusal thereof, set aside the order dated 09.06.2020 passed by the Respondents through which the Applicant has been assessed / recommended as ‘Not yet fit for promotion’ .

(b) Direct the Respondents to consider the Applicant for promotion to the post of Chief Scientist based on his Outstanding Grade assessed by the Director CSIR-NISCIASR for seven years continuously from 2010-2017.

(c) Direct the Respondents to promote the Applicant notionally wef 31.08.2016, if, found fit with all consequential benefits in terms of pay and allowances including pensionary benefits consisting of Retirement Gratuity, Commutation of Pension , Leave Encashment etc.

(d) Pass any other order/direction, which this Hon'ble Tribunal deems fit and proper in facts and circumstances of the case.”

2. Learned counsel for the applicant submits that applicant's claim is squarely covered by the judgment of the Bangalore Bench of this Tribunal dated 02.08.2018 in OA No. 170/00522/2016 with connected OAs (Annexure A/5). Learned counsel for the applicant further submits that for redressal of his grievance, the applicant has preferred a representation dated 04.07.2020 (Annexure A/10).

3. Issue notice.

4. Shri S.N. Verma, learned counsel, who appears on behalf of the respondents on advance service, accepts notice.

5. Learned counsel for the applicant submits that the applicant shall be satisfied if the present OA is disposed of at this very stage with direction to the respondents to consider the applicant's aforesaid representation and to dispose of the same in a time bound manner. To such request, learned counsel for the respondents is not having any objection.

6. In view of the aforesaid facts and circumstances and without going into the merit, we dispose of the present OA with direction to the respondents to consider the applicant's aforesaid representation (Annexure A/10) and to dispose of the same by passing a reasoned and speaking order as expeditiously as possible and in any case within six weeks of receipt of a copy of this Order.

7. The present OA is disposed of in the aforesaid terms. No order as to costs.

(R.N. Singh)
Member (J)

(A.K. Bishnoi)
(Member A)

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