

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

OA/020/00477/2020



HYDERABAD, this the 28th day of August, 2020.

THE HON'BLE MR. ASHISH KALIA : JUDICIAL MEMBER

THE HON'BLE MR. B.V.SUDHAKAR : ADMINISTRATIVE MEMBER

K. Sudheer Babu, Group A,
S/o. Sri K. Prabhakara Rao,
Aged: 39 years,
Occ: Sr. Supdt. of Post Offices,
Vijayawada Division, Vijayawada – 520 001.

...Applicant

(By Advocate : Mr.N. Vijay)

Vs.

1. The Union of India,
Ministry of Communications and IT,
Department of Posts, Dak Bhavan,
New Delhi – 110 001,
Rep. by its Secretary.

2. The Chief Post Master General,
AP Circle, Krishnalanka,
Vijayawada – 520 013.

....Respondents

(By Advocate : Mrs.K.Rajitha, Sr. CGSC)

Oral Order
(As per Hon'ble Mr.B.V.Sudhakar, Administrative Member)



Through Video Conferencing

2. OA is filed in regard to grant of promotion to Senior Time Scale.
3. Brief facts of the case are that the applicant joined the respondents' organization in the Junior Time Scale in the year 2011. On completion of 4 years of service, the applicant is eligible to be promoted to Senior Time Scale as per relevant recruitment rules. Batchmates of the applicant were promoted w.e.f. 01.04.2016 vide order dt.21.12.2016 (Annexure A-I). Four criminal cases were registered against the applicant in regard to cash management pursuant to demonetization. In 2018, disciplinary inquiry was initiated, which has not been finalised. As on the date when his batchmates were promoted, there were no criminal cases or any disciplinary case pending against the applicant and therefore, he is entitled for promotion. Representation submitted on 25.2.2019 has not been disposed till date. Aggrieved for not being promoted though eligible, OA has been filed.
4. The contentions of the applicant are that his batchmates have been promoted vide order dt. 21.12.2016 and on the said date, there were no disciplinary or criminal cases pending against him and hence, he is eligible to be promoted as per relevant recruitment rules.
5. Heard both the counsel and perused the pleadings on record.

6. Applicant claims that after rendering 4 years of service in the Junior Time Scale, he is eligible to be promoted to Senior Time Scale as per Indian Postal Service (Group-A) Rules 1987/2016. Batch mates were promoted in 2016 but not the applicant, albeit eligible along with batchmates, and hence, a representation was made on 25.2.2019, which is yet to be disposed. Respondents are therefore directed to dispose of the representation within a period of 8 weeks from the date of receipt of this order by issuing a speaking and speaking with reference to relevant rules and in accordance with law.

7. With the above directions, the OA is disposed of, at the admission stage without going into the merits of the case. No order as to costs.

(B.V.SUDHAKAR)
ADMINISTRATIVE MEMBER

(ASHISH KALIA)
JUDICIAL MEMBER

Pv/evr