

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

MA/21/354/2020 in OA/21/179/2020 & OA/21/179/2020

HYDERABAD, this the 8th day of December, 2020



Hon'ble Mr. Ashish Kalia, Judl. Member
Hon'ble Mr. B.V. Sudhakar, Admn. Member

N. Satyanarayana, Group-A
S/o. Late Sri N. Bhimeswara Rao,
Occ: Principal Technical Officer,
Aged about 43 years,
Centre for Development of Advance Computing,
Plot No.6&7, Hardware Park,
Sy.No.1/1, Srisailam Highway,
Pahadi Shareef via (Keshavagiri Post),
Hyderabad – 500 005, R/o. Flat No.201,
Triveni Heights, Balaji Nagar,
Kukatpally, Hyderabad – 500 072, T.S.

...Applicant

(By Advocate : Sri K. Ram Murthy)

Vs.

1. Union of India rep. by its
Secretary,
Ministry of Electronics and Information
Technology (Government of India)
Electronics Niketan, 6, CGO Complex,
Lodhi Road, New Delhi – 110 003.
2. The Director General,
Centre for Development of Advanced Computing
Pune University Campus, Ganesh Khind,
Pune – 411 007, Maharashtra.
3. Sri S.V. Srikanth, Age: Major,
Occ: Joint Director,
C/o. The Director General,
Centre for Development of Advanced Computing,
Plot No.6&7, Hardware Park,
Sy No.1/1, Srisailam Highway,
PahadiShareef Via (Keshavagiri Post),
Hyderabad – 501 510, Telangana (India).



4. Mrs. G. Jyotsna, Age: Major,
Occ: Joint Director,
C/o. The Director General,
Centre for Development of Advanced Computing,
Plot No.6&7, Hardware Park,
Sy No.1/1, Srisaillam Highway,
PahadiShareef Via (Keshavagiri Post),
Hyderabad – 501 510, Telangana (India).
5. Mr. Sam Santosh Koshy, Age: Major,
Occ: Joint Director,
C/o. The Director General,
Centre for Development of Advanced Computing,
Plot No.6&7, Hardware Park,
Sy No.1/1, Srisaillam Highway,
PahadiShareef Via (Keshavagiri Post),
Hyderabad – 501 510, Telangana (India).
6. Sri Sharan Basappa, Age: Major,
Occ: Joint Director,
C/o. The Director General,
Centre for Development of Advanced Computing,
Plot No.6&7, Hardware Park,
Sy No.1/1, Srisaillam Highway,
PahadiShareef Via (Keshavagiri Post),
Hyderabad – 501 510, Telangana (India).
7. Mr. Pramod PJ, Age: Major,
Occ: Joint Director,
C/o. The Director General
Centre for Development of Advanced Computing,
Plot No.6&7, Hardware Park,
Sy No.1/1, Srisaillam Highway,
PahadiShareef Via (Keshavagiri Post),
Hyderabad – 501 510, Telangana (India).

....Respondents

(By Advocate : Sri M. Venkata Swamy, Addl. CGSC)

ORAL ORDER
(As per Hon'ble Mr. B.V. Sudhakar, Administrative Member)

Through Video Conferencing:



2. The OA is filed for not recommending the name of the applicant for promotion to the post of Joint Director in the respondents organisation.

3. Brief facts are that the applicant was recruited on a regular basis as Staff Scientist (Presently Technical Officer) in 2001 in the respondents organisation. Later, he was promoted as Senior Technical officer in 2007 and thereafter, as Principal Technical Officer in 2012. Applicant is eligible to be considered to be promoted to the post of the Joint Director. Respondents have been promoting his peers, juniors and ineligible persons and not the applicant. Aggrieved, OA is filed.

4. The contentions of the applicant are that though he is eligible he is not being considered for promotion to the post of Joint Director with the grade pay of Rs.8700. Applicant claims that he has done well in the interviews conducted, yet, he has been ignored, whereas juniors, and contract employees, who have come through the back door, have been promoted. Challenging the non promotion applicant filed OA 453/2017 which is pending adjudication. Applicant alleges that because of filing of the OA, he is being denied the promotion. The promotions granted to the private respondents is against the promotion policy guidelines issued in respect of Group 'A' S & T officers issued by the respondents as well as against the Uma Devi judgment of the Hon'ble Supreme Court. Even the interview committee has been constituted against rules. Respondents have

not even cared to let know the shortcomings for non selection despite seeking the same through representations. Applicant, in the process, has become junior to his juniors and therefore, made an appeal to the 2nd respondent on 25.10.2019, which remains undisposed.



5. Applicant filed an MA for expeditious hearing and when the case came up for hearing, the Ld. Counsel for the applicant was absent. Even the learned standing counsel for the respondent was also not present. Respondents have not filed the reply. However, considering the significance of filing the MA for expeditious hearing, we have gone through the details of the case to its minute detail. The applicant is aggrieved that he has not been promoted as Joint Director though eligible whereas his juniors and ineligible persons are being promoted. Even contract employees have been favoured with promotion is another contention of the applicant. Applicant asserts that the respondents have violated Articles 14, 16 & 21 of the Constitution and the Principles of Natural Justice by not selecting him as per rules. Even the appeal preferred on 25.10. 2019 has not been disposed till date, is one another claim of the applicant.

6. After going through the facts and circumstances of the case, we find that the applicant is alleging that he is being discriminated in regard to the promotion to the post of Joint Director. Applicant claims that there are many irregularities in the selection process and has preferred an appeal to the 2nd respondent way back on 25.10.2019, which, he asserts, has not been disposed till date. He also prayed in the OA for an interim direction to dispose of his pending appeal.

7. Therefore, in the fitness of things, we find it proper to direct the 2nd respondent to dispose of the appeal within 4 weeks of receipt of this order, by issuing a speaking and a reasoned order. Accordingly, the 2nd respondent is directed to do so.



With the above direction the OA is disposed of. MA 354/2020 accordingly stands disposed. No order as to costs.

(B.V.SUDHAKAR)
ADMINISTRATIVE MEMBER

(ASHISH KALIA)
JUDICIAL MEMBER

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