

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

(3)

REGN. NO. O.A. 72/87.

DATE OF DECISION: 28.7.1992.

A.P. Srivastava. Petitioner.

Versus

Union of India and anr. Respondents.

CORAM: THE HON'BLE MR. JUSTICE V.S. MALIMATH, CHAIRMAN.
THE HON'BLE MR. I.K. RASGOTRA, MEMBER(A).

For the Petitioner. None.

For the Respondents. Shri M.L. Verma,
Counsel.

JUDGEMENT (ORAL)

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

None appeared for the petitioner. Shri M.L. Verma, Counsel, is present for the respondents. As this is a very old matter, we thought it proper to look into the record, hear the learned counsel for the respondents and dispose of this matter on merits.

2. The petitioner has prayed that withholding of the appeal against an order of the disciplinary authority imposing certain punishment is illegal. The respondents have filed copy of the order of the appellate authority disposing of the appeal of the petitioner. The petitioner has not thereafter sought amendment of the application challenging the order of the appellate authority. Hence, the question of considering the prayer(a) of the application does not arise. The prayer(b) is for consequential benefits consequent upon granting of prayer(a). So far as prayer(c) in the application is concerned, it is for direction to the respondents to consider him as having continued in the post of U.D.C. from 28.12.1962 and to accord him further promotions from the dates they fell due along with others who superseded him. The background

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of this case makes it clear that the petitioner's case was considered by the D.P.C. and he was not found suitable for promotion to the post of U.D.C. As the case of the petitioner has been considered for promotion to the post of U.D.C. by the DPC, the question of interference/does not arise. Petition fails and is, therefore, dismissed. No costs.

Deputy
(I.K. RASGOTRA)
MEMBER(A)

Malimath
(V.S. MALIMATH)
CHAIRMAN

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