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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI.

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(4)

REGN.NO. O.A.892/87.

DATE OF DECISION: 28.10.1992.

Balbir Singh.

..Petitioner.

Versus

Union of India & Ors.

..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 P.P. Khurana, Counsel.

JUDGEMENT(ORAL)

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

None appears for the petitioner. Shri Khurana appears for the respondents. We have perused the records. The petitioner's claim is for crossing the Efficiency Bar w.e.f. 1.11.1979. As at that time a disciplinary inquiry was pending against him, no order was passed for crossing the Efficiency Bar w.e.f. 1.11.1979. The disciplinary proceedings were terminated in March, 1984, imposing on him a penalty of 'Censure'. The D.P.C. thereafter considered his case and allowed him to cross the Efficiency Bar w.e.f. 7.3.1984. On the representation of the petitioner, the Board desired that his case should be reviewed by the D.P.C. in the light of the DOP&AR's O.M. No. 29014/12/75-Estt.(A) dated 15.11.75. In the light of the said order, the matter was reviewed by the D.P.C. The D.P.C. did not find it possible to permit the petitioner to cross the Efficiency Bar from an earlier date.

2. In the circumstances, we are satisfied that the case of the petitioner was considered by the D.P.C. We would, therefore, not be justified in substituting the opinion of the D.P.C. This petition fails and is dismissed. No costs.

*Sh. Raghuram*  
(I.K. RASGOTRA)

MEMBER(A)

*Prabhakar*  
(V.S. MALIMATH)

CHAIRMAN

'SRD'  
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