

(17)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

NEW DELHI

OA 1596/90

Date of decision 01.04.92

Shri R.S. Gohri Applicant

Shri K.L. Bhatia Counsel for the applicant

Vs.

Union of India & Ors Respondents

Shri P.P. Khurana Counsel for the respondents

CORAM

The Hon. Mr. P.K. Kartha, Vice Chairman(J)

The Hon. Mr. A.B. Gorti, member(A)

JUDGEMENT (Oral)

(of the Bench delivered by Hon. Mr. P.K. Kartha)

Heard the learned counsel for both parties.

The relief sought by the applicant is that the respondents be directed to set aside the impugned order dated 01.06.90, in which the claim of the applicant for promotion to the post of Senior P.A. was rejected, that they be directed to post him to the post of Sr. P.A. in the vacancy existing at Headquarters Western Air Command(H) and that the impugned penalty order dated 06.03.90 be set aside

On account of the penalty order which is at Annexure A-2 to the application, we are of the opinion that it is not a speaking order. On this short ground, the impugned order dated 06 03 90 is liable to be set aside and quashed.

We do so accordingly.

The respondents are, therefore, directed to consider the ~~case of the~~ applicant's case of promotion to the post of Sr. P.A. by holding a review DPC ignoring the penalty order dated 06 03.90.

They shall do so within the period of three months from the date of communication of this order.

In case, the applicant is found fit for promotion, he shall be promoted as Sr. P.A., whenever vacancy exists, also keeping in view the representation made by the applicant for retaining him at Delhi, in case the vacancy exists there.

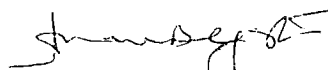
We further direct, that the respondents will be at liberty to pass a fresh order on the memorandum issued to the applicant on 21 02.90, after taking into

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2. Accord the representation submitted in the
~~Respondent No 3~~
~~Application~~ on 22.02.98. Thereafter, they
shall pass a speaking order within ^{a a} ~~the~~ period
of three months from the date of communication
of this order.

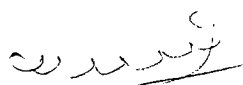
The application is disposed of on the
above lines.

There will be no order as to costs.



(A. B. GOUTH)

MEMBER(A)



(P. K. KARTIKA)

VICE CHAIRMAN(J)