CENTRAL ADMINISTRATIVE TRIBUNAL
Principal Bench

9.

O.A. No. 1983 of 1992

New Delhi, dated the 14th August, 1997

HON'BLE MR. S.R. ADIGE, MEMBER (A)
HON'BLE Mrs. LAKSHMI SWAMINATHAN, MEMBER (J)

Shri Mool Chand,
S/o Shri Chander Singh,
R/o C-1/70, Railway Colony,
Tughlakabad,
New Delhi-110044. .... APPLICANT

By Advocate: Shri D.R. Gupta

VERSUS

Union of India through

1. The Secretary,
   Ministry of Health & F.W.
   Nirman Bhawan,
   New Delhi.
2. Director General (Health Services),
   Nirman Bhawan, New Delhi.
3. Medical Superintendent,
   Safdarjung Hospital, New Delhi.
4. Medical Laboratory
   Technical Association,
   995, Laxmi Bai Nagar,
   New Delhi-110023. .... RESPONDENTS

(None appeared)

J U D G M E N T

BY HON'BLE MR. S.R. ADIGE, MEMBER (A)

Applicant impugns the seniority list dated 20.8.91 (Ann. A-1) showing him against the solitary post of Lab. Technician (Radio Isotope) as on 28.2.91 and apprehends that as a result of this, he will be denied promotion to other posts.

2. None appeared for respondents when the case was called out. As this is an old case we decided to dispose it of after hearing applicant's counsel Shri D.R.Gupta and perusing the materials on record.

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3. Shri Gupta has invited our attention to the earlier seniority list dated 2.11.87 (Ann. A-2) wherein applicant was listed with a number of other Lab. Technicians. Shri Gupta states that applicant had no quarrel with this list dated 2.11.87 as it kept his avenue for promotion open, but by the issue of the impugned seniority list dated 20.8.91 his chances for promotion have become extremely constricted. This apprehension appears to be not without foundation, because in their reply respondents state that applicant is working against the ex-cadre post of Lab. Technician (Radio Isotope) and he cannot claim promotion against higher posts sanctioned for Lab. Diagnostic Services. We also note that respondents' proposal for upgradation of the post of Lab. Technician (Radio Isotope) has not been acceded to. No doubt if this proposal had been approved, it might have given applicant some chance of promotion.

4. It needs no reiteration that in the interests of maintaining motivation and morale a Govt. servant should be able to look forward to opportunities for promotion during the course of his official career. While we do not have material before us which would warrant our interference with the impugned seniority list dated 20.8.91, we make it

clear that applicant's inclusion in that seniority list against the post of Lab. Technician (Radio Isotope) should not be construed as to deny applicant opportunity for career advancement. In CSIR Vs. K.G.S.Bhatt (1989) 4 SCC 635 the Hon'ble Supreme Court has held

> " The person is recruited by an organisation not just for a job for but for a whole career. One must therefore be given an opportunity to advance".

5. Since the post of Lab. Tech. (R.I.) is an isolated post and is not in the feeder category for any higher posts, it is the responsibility of the Respondents to keep the above salutory and wholesome principle squarely in view. The applicant has been holding the post of Lab. Tech. (R.I.) w.e.f. 14.11.74 and it is only in fitness of things that he should have adequate opportunities for career advancement. Therefore in the facts and circumstances of this case, we direct the respondents to consider adjusting the applicant against any equivalent post from where career advancement opportunities exist, by amending the recruitment rules, if necessary, as expeditiously as possible.

6. This O.A. is disposed of in terms of para 5 above. No costs.

(Mrs. LAKSHMI SWAMINATHAN)
Member (J)

(S.R. ADIGE)
Member (A)

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