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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

OA No.1750/93
MP 2830/93

Date of decision: 15.09.1993.

Shri Jai Bhagwan Sharma

...Petitioner

Versus

Union of India through the
National Capital Territory
Govt. of Delhi & Another

...Respondents

Coram:- The Hon'ble Mr. I.K. Rasgotra, Member (A)
The Hon'ble Mr. J.P. Sharma, Member (J)

For the petitioner

Shri S.K. Shukla, Counsel.

For the respondents

None.

Judgement(Oral)
(Hon'ble Mr. I.K. Rasgotra)

We have considered the circumstances explained by the learned counsel for the petitioner which prevented him from appearing in the Court on 3.9.93 when the O.A. came to be dismissed for non-prosecution. M.P. No.2830/93 is, therefore, allowed and the O.A. is restored.

2. We have heard Shri S.K. Shukla, learned counsel for the petitioner. The petitioner is seeking relief to the effect that the impugned orders dated 1.6.1992 and 20.5.1992 rejecting the rightful claim of the petitioner be quashed and further that the respondents be directed to issue direction to the respondents to issue promotion orders of the petitioner as P.G.T. (Hindi) from 29.11.1991.

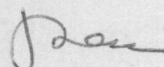
3. The impugned order dated 29.11.1991 is an order passed by the respondents in pursuance of the recommendations of the Departmental Promotion Committee (DPC) held on

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22.11.1991, according to which certain T.G.Ts Teachers were promoted as P.G.Ts. The grievance of the petitioner is that under I Administration Cadre (General) and in the grade of Hindi (Male) Shri Krishan Lal Gambhir was promoted as P.G.T. The petitioner claims that Shri K.L. Gambhir is junior to him and, therefore, he has a right to be considered for promotion as his junior has been promoted. Our attention was drawn to the representation made by the petitioner at Annexure-4, addressed to the Joint Director Education (Admn.) Directorate of Education, Delhi. This representation is a reminder to the representation made by the petitioner on 4.6.1981. The representation dated 4.6.1981 is at page 22 of the paperbook and reads as under:-

"I pray that language teachers Junior to me i.e. Shri K.L. Gambhir and Shri Kishan Lal have been shown Senior to me in the list of Junior Language teachers dt. 4.7.1980.....
I request you to show me/my name in the Seniority list at 10-A, in the list dt. 4.7.1980."

4. Thus, from the above it is observed that the petitioner was placed junior to Shri K.L. Gambhir and Shri Krishan Lal in the seniority list issued on 4.7.1980. The cause of grievance arose in this case on that very date. As the matter pertains to the period prior to 1.11.1982, we have no jurisdiction in the matter. The O.A. is, therefore, barred by limitation and is accordingly dismissed at the admission stage itself. No costs.


(J.P. SHARMA)
MEMBER(J)

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(I.K. RASGOTRA)
MEMBER(A)