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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

O.A. NO. 2415/1993

New Delhi this the 20<sup>th</sup> day of July, 1999.

HON'BLE SHRI JUSTICE K. M. AGARWAL, CHAIRMAN

HON'BLE SHRI N. SAHU, MEMBER (A)

K. P. Sarma S/O K. Subba Rao,  
R/O S-7-1194, R.K. Puram,  
New Delhi.

... Applicant

( None present )

-Versus-

1. Union of India through  
Secretary, Ministry of  
Personnel, Public Grievances  
and Pensions, S. Patel Bhawan,  
Sansad Marg, New Delhi.
2. Secretary, Internal Security,  
North Block, New Delhi.
3. Principal Director, A.R.C.,  
Cabinet Sectt., Block-V (East),  
R.K. Puram, New Delhi.

... Respondents

( By Shri N. S. Mehta, Advocate )

O R D E R

Shri Justice K. M. Agarwal :

By this O.A., the applicant claims the order dated 30.1.1992 to be quashed and seeks a direction to the respondents to promote him as Technical Officer w.e.f. 1987 and further promotion as Assistant Director w.e.f. 1991 after holding review D.P.C.


2. After retirement from service, the applicant has filed the present O.A. for the said reliefs. It is claimed that in 1959 he was directly recruited as ACIO-II(T) in Intelligence Bureau. In October 1964, he was deputed to work in Aviation Research Centre, (in shore, "ARC"), where he was promoted as ACIO/I(T) in March 1968. In April 1976 he was absorbed in ARC and promoted to the post

of Technical Officer in 1991. It is alleged that his juniors were promoted as Technical Officers in 1987 and, therefore, promotion is claimed from 1987 to the post of Technical Officer and then as Assistant Director from 1991 on the ground that he was eligible for the said post in those years. Claim was denied by the impugned order. Hence this O.A. has been filed for the said reliefs.

3. After perusing the record and hearing the learned counsel for the respondents, we are of the view that this O.A. is not only time barred but also misconceived. No Government servant has a right to be promoted, but has a right to be considered. As mentioned in the impugned order dated 30.1.1992 and also stated in para 4.19 of the application, he was considered both in the year 1987 and 1991, but was not found fit for the said posts. The applicant has, therefore, no case for claiming a review DPC or for promotion to the said posts from 1987 or 1991.

4. In the result, this O.A. fails and it is hereby dismissed, but without any order as to costs.

  
( K. M. Agarwal )  
Chairman

  
( N. Sahu )  
Member (A)

/as/