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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH.

O.A. No.388/93.

New Delhi, this the 23rd day of July, 1998.

HON'BLE MR. JUSTICE K.M.AGARWAL, CHAIRMAN.
HON'BLE MR. R.K.AHOOJA, MEMBER (A).

Krishan Dev Dutt,
S/o Late Shri Ram Chand Dutt,
Geological Survey of India,
4, Chowranghee Lane,
Ratanaker Building, Ist Floor,
CALCUTTA-16.

...Applicant.

(Applicant in person)

vs.

1. Union of India,
through Secretary to Govt. of India,
Ministry of Steel & Mines,
Deptt. of Mines,
Shastri Bhawan, New Delhi-1.
2. Director General,
Geological Survey of India,
27J.L.Nehru Road,
CALCUTTA-16.

...Respondents.

(None appeared on behalf of the respondents)

O R D E R

JUSTICE K.M.AGARWAL:

This O.A. filed in the year 1990 before the Calcutta Bench of the Tribunal was transferred to the Principal Bench in 1993. The reliefs claimed are for quashing the disciplinary proceedings concluded in the year 1982 or 1984 and for two promotions with consequential monetary benefits after opening the sealed cover.

as a Driller

2. The applicant was employed/in Geological Survey of India. Disciplinary proceedings were started against him in 1978 and it appears that after submission of enquiry report on 4.9.82 according to the applicant but on 5.9.83 according to the respondents, he was censured by a final order passed on 5.4.84 by the disciplinary authority. It further appears that the case of the applicant for

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promotion to the post of Drilling Engineer (Junior) was considered by the DPC in February, 1984, but according to the applicant, the result was kept in a sealed cover, whereas according to the respondents, the name of the applicant was not recommended by the DPC. Other facts in the O.A. are most confusing, but when the same are read with the counter filed by the respondents, it appears that the main grievance of the applicant is that of denial of promotion to him. Being aggrieved, he has filed the said O.A. for the said reliefs.

3. After perusing the record and hearing the applicant in person, we are of the view that this O.A. has no substance. It has been specifically stated by the respondents in their written statement that pending disciplinary proceedings were not taken into account while taking up the case of the applicant for promotion by the DPC. On assessment of his suitability vis-a-vis others, he was not found suitable for promotion and accordingly his name was not recommended by the DPC. The meeting of the DPC was held in the year 1984 and denial of promotion also appears to be of 1984. The O.A. was filed in the year 1990 and, therefore, the application also appears to be barred by time. For all these reasons, we find no merits in this O.A.

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

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(K.M. AGARWAL)
CHAIRMAN

R. K. Ahooja
(R.K. AHOOJA)
MEMBER (A)