

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A.No.584 of 1993

New Delhi, this 8th day of March, 1999.

HON'BLE MR. JUSTICE S. VENKATRAMAN, VICE CHAIRMAN(J)
HON'BLE MR. K. MUTHUKUMAR, MEMBER(A)

S. P. Saraswati
S/o Late Pt. Shiv Charan Das
R/o XY-50 Sarojini Nagar
New Delhi.

... Applicant

By Advocate: Shri A. K. Bhardwaj

versus

1. The Director General Audit
Post & Telecommunication
Old Secretariat
Civil Lines
Delhi-110 054.
2. The Director of Audit
P & T Branch Audit Office Delhi
Old Secretariat
Civil Lines
Delhi.
3. The Controller & Auditor General of India
Bahadurshah Zafar Marg
New Delhi.
4. The Controller General of Accounts
Lok Nayak Bhavan
New Delhi.

... Respondents

By Advocate: Shri Madhav Panikar.

O R D E R (ORAL)

HON'BLE MR. JUSTICE S. VENKATRAMAN, VC(J)

The applicant's grievance is that though he was given information by Shri C.S. Swaminathan, the then head of the department of Post and Telecommunication that he was promoted to the post of Deputy Controller of Accounts in the cadre of Indian Audit & Accounts Service, his promotion was not implemented in spite of several representations given by him. He has, therefore, sought for a direction to the

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respondents to produce the relevant records containing the order of promotion of applicant made in 1976 and to implement the order of promotion with all consequential benefits.

2. The respondents have denied that the applicant had been promoted as claimed by him. It is also pleaded that the applicant was not eligible for promotion at the relevant time and, therefore, he cannot claim that he was promoted.

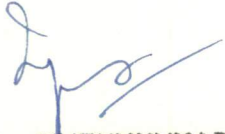
3. The learned counsel for applicant strenuously contended that though the applicant had repeatedly asserted in his representation that he had been promoted, the respondents never categorically disputed that assertion and instead they wanted the applicant to furnish the source of information, and that the plea that the applicant was not eligible for promotion is untenable as according to the applicant his promotion was effected in 1976 in which year he was eligible for promotion.

4. Without going into the question as to whether the applicant was eligible for promotion or not, the fact remains that there is absolutely no material to show that the applicant was in fact promoted to the higher cadre as claimed by him. The mere allegation that the then Accountant General gave him the impression that he had been promoted, would not give a right to the applicant to claim either promotion or the implementation of the so-called

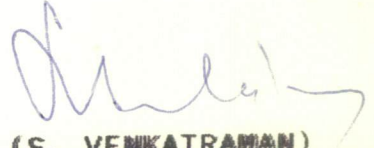
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order of promotion. The applicant has admittedly retired long back and no other ground is made out for claiming the promotion. In the circumstances, the application fails and the same is accordingly dismissed. No costs.



(K. MUTHUKUMAR)
MEMBER (A)



(S. VENKATRAMAN)
VICE CHAIRMAN (J)