

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. No. 778/93

New Delhi, dated the 19th July, 1994

Hon'ble Sh. N.V.Krishnan, Vice Chairman(A)

Hon'ble Smt. Lakshmi Swaminathan, Member(J)

Shri B.M.Jha
R/o 1195/IV NH IV
Faridabad

... Applicant

(By Advocate Sh. Ajit Puddussery)

V/s

1. Union of India through the Secy.
Ministry of Water Resources,
Shram Shakti Bhawan, N/Delhi

... Respondent

(By Advocate Sh.N.S. Mehta)
Senior Standing Counsel.

ORDER (ORAL)

(Hon'ble Sh. N.V.Krishnan, Vice Chairman (A)

Applicant is Senior Hydrologist in the
Central Ground Water Board under the respondent
i.e. Ministry of Water Resources. He has prayed for
the following directions:-

- a) Issue Writ order or direction declaring that the Sr.Hydrologists working under the Central Ground Water Board under the Respondent are entitled to promotions as provided for the other categories of similarly situated employees under the Central Ground Water Board(Scientific Group A Posts) Recruitment Rules, 1987.
- b) Direct that the applicant is entitled to be considered for promotion under the scheme w.e.f. 27.8.89 on which date he completed five years of service as Senior Hydrologist."

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Respondents have filed reply.

2. The matter came up for admission today Sh. N.S. Mehta, Sr. Standing Counsel pointed out that an earlier application (OA 753/87) has been decided on 29.6.1988 by the Hyderabad Bench of this Tribunal. A copy of the judgment is at Ann. I. The respondents were directed to take a decision expeditiously and extend the "Flexible Complementing Scheme" to the Hydrologists also. This was to be done within a period of eight months from the date of receipt of that order.

3. In the reply, it is stated that the contempt proceedings in this behalf filed before the same Bench was dismissed on 28.6.89. However, the matter is under active consideration of the respondents in consultation with the Department of Personnel and Training.

4. Learned counsel for the respondents submitted in this behalf that a reference has been made to the U.P.S.C. He, therefore, suggests that this O.A. can now be disposed of with a suitable direction to the respondents. Learned counsel for the applicant has no objection to dispose of the O.A. in this manner.

5. In view of the averments made in the pleadings and the submission made today, we are of the view that this O.A. now ^{can} / be disposed of with a suitable direction to the respondents. Accordingly

we dispose of the O.A. with a direction to the respondent to ensure that, in the matter relating to inclusion of the Hydrology discipline in the 'Flexible Complementing Scheme', stated, in para 4.4. of the reply, to be under active consideration, Respondents shall take a final decision within three months from the date of receipt of this order, under intimation to the applicant. In case, the applicant feels aggrieved by the decision to be taken by the respondents, it is open to him to seek such redress in accordance with law as may be advised.

Lakshmi Swaminathan
(Smt. Lakshmi Swaminathan)

Member (Judicial)

N.V.Krishnan
(N.V.Krishnan)

Vice Chairman (A)

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