

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 30TH DAY OF APRIL, 2002

Original Application No.1211 of 1997

CORAM:

HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

HON.MAJ.GEN.K.K.SRIVASTAVA, MEMBER(A)

1. Dr.Lallan Prasad Tewari, aged about 50 years, S/o Shri D.P. Tewari, R/o E-174, Indira Nagar, Kanpur.
2. Dr. Ashutosh Bajpai, aged about 36 years, S/o Late Dr.K.N.Bajpai R/o Type IV, N.S.I campus, Kalyanpur Kanpur.

... Applicant

(By Adv: Shri Rakesh Verma)

Versus

1. Union of India through Secretary Ministry of Food and Consumer Affairs Krish Bhawan, New Delhi.
2. The Secretary Expenditure, Ministry of Finance, Deptt. of Expenditure South Block, New Delhi.
3. The Director, National Sugar Institute Kalyanpur, Kanpur.
4. Secretary, UPSC Dholpur House, Shahjahanpur Road,

... Respondents

(By Adv .Shri S.C.Tripathi)

O R D E R(Oral)

JUSTICE R.R.K.TRIVEDI V.C.

By this OA applicants have challenged the orders dated 21/26.8.1996(Annexure 1) and order dated 25.5.1995 (Annexure 2) by which two posts of Assistant Professor of Sugar Technology have been abolished as they have been lying unfilled ~~for~~ very long. The claim of the applicants is that they are seniormost persons serving as Junior Technical officer and they are eligible for promotion as

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Assistant Professor of Sugar Technology but on account of the aforesaid orders applicants could not be promoted.

Resisting the claim of the applicants a counter affidavit has been filed. In para 13 whereof it has been stated that applicants are eligible ~~for~~ promotion to the post of Asstt. Professor of Sugar Technology as per the latest recruitment rules. However, the DPC meeting could not be convened for their promotion because the two posts of Asstt. Professor of Sugar Technology, were ~~lying~~ vacant for very long time and are deemed to have been abolished as per Ministry of Finance O.M. dated 3.5.1993. The instructions contained in the OM are applicable to all Ministries /Departments. At the end it has been stated that efforts are being made by the Govt. to fill the post by seeking the approval of the Competent Authority with a view to improve the promotional avenues for technical and teaching staff. This counter was filed on 17.1.2000. More than a year has passed. Applicants are working as Junior Technical Officer from 1.10.1986. Long time has been elapsed. It is well known that stagnation in one post without having any promotional avenue effects the working and efficiency of the officer. Considering this aspect we dispose of this OA with the direction to respondent no.3, Director National Sugar Institute, Kanpur to get necessary approval of the Government for revival of the two posts of Asstt. Professor of Sugar Technology within a period of four months and ~~considering~~ <sup>to</sup> the case of applicants for promotion expeditiously. There will be no order as to costs.

  
MEMBER(A)

  
VICE CHAIRMAN

Dated: 30.4.2002

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