

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 1344 of 1998

Allahabad this the 19th day of July, 2000

Hon'ble Mr.S.K.I. Naqvi, Member (J)
Hon'ble Mr.S. Biswas, Member (A)

Rajendra Chaturvedi, aged about 31 years, Son of Shri Mannoo Lal Chaturvedi, resident of House no. 136/3, Kanishka Line, MES Colony, Lalitpur Road, Jhansi.

Applicant

By Advocate Shri R.K. Nigam

Versus

1. Union of India through Secretary Defence, Ministry of Defence, Govt. of India, New Delhi.
2. Chief Engineer, Central Command, Mahatma Gandhi Road, Lucknow.
3. Chief Engineer, Lucknow Zone near CDA, Central Command Office, Lucknow.
4. Commander Works Engineer, Rani Laxmi Bai Marg, Jhansi Cantt.
5. Garrison Engineers, Jhansi Cantt.

Respondents

By Advocate Shri Amit Sthalekar

O R D E R (Oral)

By Hon'ble Mr.S.K.I. Naqvi, Member (J)

The applicant has come up seeking the relief to the effect that the respondents be

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directed to "immediately consider and promote the petitioner as H.S.II in the pay scale of Rs.4000-6000/- on the basis of certificate dated 30.10.1993 (annexure A) from the date the vacancy has become available for the post of H.S.II, for which a time bound direction be given."

2. The applicant has sought this relief on the strength of a certificate, copy of which has been annexed as annexure A, issued by the Bengal Engineer Group & Centre, Roorkee, through which ~~he is~~ ^{that he has} has been certified ~~to have~~ attended the upgradation training in Electrician trade and has qualified as Skilled to High Skilled II/I, ^{new} ~~and~~ claims that he shall be straightaway promoted without any other formalities in this regard.

3. The respondents have contested the case with the mention that as per recruitment rules, Electrician, who have 3 years regular service in the grade and have qualified the trade test ~~for~~ ^{for} the post of Electrician (Highly Skilled Grade II), ~~has~~ prescribed by the higher authority, will be considered for promotion to H.S.II. It has been clarified that the applicant, though has undergone up-gradation training as mentioned, but has not passed the departmental ^{Trade} test, as prescribed by the department.

4. Heard, the learned counsel for the rival contesting parties and perused the record.

5. Learned counsel for the applicant wishes

us to pass an order to allow promotion to the ~~present~~ ^{prescribed} applicant, ignoring the ~~present~~ Practice and Rules in this regard and also to give finding on service value of certificate issued to the applicant(annexure-V). We are afraid that, that is beyond the scope of our concern. However, we find it a fit matter to direct the respondents to consider the case of the applicant for promotion when he is found eligible as per rules and due weightage be given to the certificate(annexure-V), ^{A-} ~~as may be~~ ^{A-} ~~which is~~ permissible under Practice and Rules in this regard.

6. The O.A. is disposed of with the above observation. The interim order stands vacated accordingly. No order as to costs.



Member (A)



Member (J)

/M. M. /