

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,

ALLAHABAD.

....

Original Application No. 780 of 2001.

this the 9th day of July 2001.

HON'BLE MR. S. DAYAL, MEMBER (A)
HON'BLE MR. RAFIQ UDDIN, MEMBER (J)

Subhash Chandra Saxena, S/o late Arjun Singh, R/o LIG -147,
B.D.A. Teebri Nath Complex, Nainital Road, Bareilly.

Applicant.

By Advocate : Sri R.K. Srivastava for Sri R.K. Misra.

Versus.

1. Union of India through the Secretary, Ministry of Agriculture, Krishi Bhawan, New Delhi.
2. The Secretary/Director General, Indian Council of Agricultural Research, Krishi Bhawan, New Delhi.
3. The Director, Indian Veterinary Research Institute, Izzatnagar, Bareilly.
4. The Administrative Officer, Indian Veterinary Research Institute, Izatnagar, Bareilly.

Respondents.

By Advocate : Sri B.B. Sirohi.

O R D E R (ORAL)

S. DAYAL, MEMBER (A)

This application has been filed under Section 19 of the A.T. Act, 1985 for directions to the respondents to give promotion to the applicant from the date its found due alongwith arrears of salary.

2. The applicant has claimed that his junior namely I.N. Qureshi has been given promotion three times, while the applicant's seniority has not been ascertained, nor has he been given promotion.

3. The applicant claims that he was appointed on the post

of T-1 Laboratory Assistant in Indian Veterinary Research Institute, (Institute in short), Izatnagar, Bareilly in May' 78 and he joined his duties on 27.5.1978. He is claimed to have been harassed by Dr. M.C. Prasad and sought his transfer from the Pathology Division to Extension Division . The services of the applicant were terminated by order dated 12.5.1981 and thereafter when his case was referred to Central Government-cum-Industrial Tribunal (C.G.I.T. in short) Kanpur, dispute was decided in his favour with 50% back wages. The applicant submitted his joining report on 22.1.1994. Hon'ble High Court was approached by the respondents against the award of the C.G.I.T., had passed an order in Civil Writ petition no. 22651/88 dated 29.9.93 dismissing the writ petition filed for quashing the award of the C.G.I.T. in favour of the applicant. The applicant has claimed the aforesaid relief in the context of these facts.

4. The applicant filed a representation bringing these facts to the notice of the respondents on 25.4.2000 and claiming merit promotion to T-2, T-I-3, T-II-3 from the date when Sri I.N. Qureshi was promoted. The said representation is stated to be pending with the respondents. The applicant has further claimed that despite the order dated 21/22.1.1994 of the respondents, the seniority of the applicant has not been fixed.

5. We have heard Sri R.K. Srivastava proxy counsel for Sri R.K. Misra for the applicant and Sri B.B. Sirohi for the respondent nos. 2 to 4.

6. We consider it appropriate in the interest of justice to direct the respondents to dispose of the representation of the applicant dated 25.4.2000 by a reasoned and speaking order within a period of three months from the date of communication of this order alongwith a copy of the representation from the applicant.

7. The O.A. stands disposed of as above. parties shall bear their own costs.

Rajiv
MEMBER (J)

Maya
MEMBER (A)

GIRISH/-