

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.

Allahabad this the 06th day of November 2001

Diary no. 4560 of 2001 (O.A. 1266/01)

Original Application no. of 2001

Hon'ble Mr. Justice RRK Trivedi, Vice-Chairman
Hon'ble Maj Gen KK Srivastava, Member (A)

1. Ghan Shyam Das, s/o Shri JS Agarwal,
R/o P-58/3, New Chaitham Lines,
Old Cantonment, Allahabad.
2. Jawahar Lal Shukla,
s/o Sri Basudeo Shukla,
R/o Qtr no. p/4, Happy Home,
Air Force Bamrauli, Allahabad.

... Applicant

By Adv : Sri S. Srivastava

Versus

1. Union of India, through the Secretary,
Ministry of Defence,
NEW DELHI.
2. Engineer-in-Chief,
Army Head Quarter, Kashmiri House,
NEW DELHI.
3. Garrison Engineer (East),
ALLAHABAD.
4. Chief Engineer, Air Force Bamrauli,
ALLAHABAD.

... Respondents

By Adv : Shri R.C. Joshi

... 2/-



:::2 ::

O R D E R

Hon'ble Mr. Justice RRK Trivedi, VC.

By this O.A. under section 19 of the AT Act, 1985, the applicants have prayed for a direction to the respondents to promote them to the post of Assistant Surveyor of works from the date ~~11/2~~ ^{their} juniors have been promoted with all consequential benefits. They have also prayed for direction to restore the seniority of the applicants amongst Assistant Surveyor of Works. It appears that promotions were granted in pursuance of the judgments dated 18.5.1998 & 11.3.1999 passed by Hon'ble High Court at Jammu & Kashmir in two separate WPs. The DPC was accordingly held by UPSC on 23.4.2001 for promotion to Assistant Surveyor of Works against the vacancies of 1992-93 & 1993-94. On the basis of recommendation of DPC 15 Assistant Surveyor Grade I were approved for promotion in MES. The applicant claims that he should also be considered for promotion, but he has been illegally ignored.

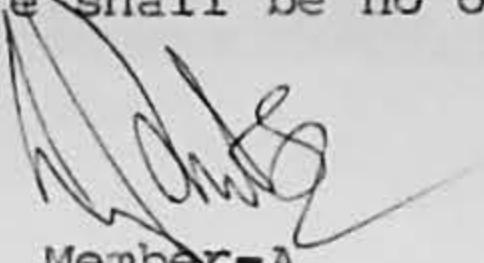
2. Before coming to this Tribunal, the applicants filed a detailed representation dated 16.8.2001, addressed to Enigneer-in-Chief, Army Headquarter (resptd no.2). The representation has not been decided.

3. In the circumstances, in our opinion the ends of justice will be served, if respondent no.2 is directed ~~to~~ to decide the representation of the applicant by a reasoned order within a specified time.

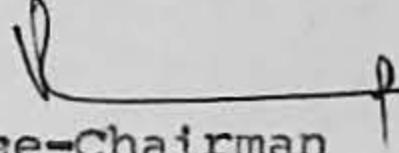
:: 3 ::

4. The OA is accordingly disposed of finally, with the direction to the respondent no.2 to decide the representation of the ~~the~~^u applicant in accordance with law and in the light of the judgment of Jammu & Kashmir High Court mentioned above within a period of 4 months from the date of communication of this order. To avoid^u delay it shall be open to the applicant to file a fresh copy of representation alongwith Jammu & Kashmir High Court's judgment.

5. There shall be no order as to costs.



Member-A



Vice-Chairman

/pc/