

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

CIRCUIT SITTING AT UTTANCHAL (NAINITAL)

ORIGINAL APPLICATION NO.132 OF 2004 (U)
NAINITAL THIS THE 15TH DAY OF APRIL, 2004

HON'BLE MR. JUSTICE S. R. SINGH, VICE-CHAIRMAN
HON'BLE MAJ GEN. K.K. SRIVASTAVA, MEMBER-A

Shri B.M. Shukla,
son of Late Shri R.C. Shukla,
Scientist E-II, I.I.P.,
Dehradun.

.....Applicant

(By Advocate Shri Jitendra Kumar)

Versus

1. Council of Scientific and Industrial Research,
a Society registered under Societies Registration
Act XXI of 1960 through its Director General, Anusandhan
Bhawan, Rafi Marg, New Delhi.
2. Indian Institute of Petroleum, Dehradun through
its Director.

.....Respondents

(By Advocate Shri R.D. Joshi)

ORDER

HON'BLE MR. JUSTICE S. R. SINGH, VICE-CHAIRMAN

List has been revised. None appears for the
applicant. We have perused the pleadings and heard Shri V.V.
Mishra holding brief of Shri R.C. Joshi, learned counsel
appearing for the respondents.


2. We have perused the O.A. which seeks quashing of
proceedings of the assessment committee in respect of



promotion to the post of Scientist 'F' Indian Institute of Petroleum and all the orders by which assessment for promotion from Scientist grade 'E-II' to Scientist 'F' has been denied to the applicant and to direct the respondents to hold fresh assessment in accordance with the provisions of revised MANAS and if the applicant is found suitable for promotion as Scientist 'F' he may be promoted from 01.04.1998.

3. The grounds in support of the relief as set out in paragraph 5 of the O.A. are vague and indefinite. The settled legal position is that assessment by the Assessment Committee or Sub-Committee, which consists of experts, in the matter of promotion cannot be substituted by the Tribunal in exercise of power of judicial review.

4. The O.A., in the circumstances is dismissed. We, however, make no order as to costs.


Member-A


Vice-Chairman

/Neelan/