

(10)

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION NO.530 OF 2005

ALLAHABAD THIS THE 9<sup>TH</sup> DAY OF JULY 2008

**HON'BLE MR. N. D. DAYAL MEMBER-A**  
**HON'BLE MR. ASHOK S. KARAMADI, MEMBER-J**

Nand Lal, Son of Late Raj Bali,  
Resident of C/73, Shri Nagar Colony,  
Pahadia, Varanasi.

..... .Applicant

By Advocate : Shri M.M. Sahai

Versus

1. Commander Works Engineer, Allahabad.
2. Garrison engineer (East), Allahabad.
3. Union of India through Ministry of Defence,  
South Block, New Delhi.

..... .Respondents

O R D E R

**HON'BLE MR. N. D. DAYAL MEMBER-A**

Learned counsel for the applicant has pin pointed the issue in question by drawing our attention to para 8 page 5 of the second rejoinder affidavit filed by the applicant wherein it is stated that the applicant was promoted in Grade I on 09.02.1985 by the orders mentioned therein. He, therefore, submits that he had completed three years by 1997 and as such should have been granted the special grade from 1997 instead of the same being revised effective the year 2000. learned counsel for the respondents has mentioned that the applicant had not completed three years service in Grade I by 1997 and, therefore, he was correctly granted the special grade from 2000.



2. In view of the fact that the specific issue has been identified in this matter we need not detain this case further. It is directed that the respondents shall consider the prayer of the applicant for restoration of his promotion in MTD Special Grade w.e.f. 31.07.1997 keeping in view the assertion made by the applicant in the supplementary rejoinder affidavit that he was promoted on 09.02.1985 and was, therefore, eligible in so far as the number of years of service were concerned for promotion to special grade. In case applicant is otherwise eligible and also in terms of number of years of service he shall be granted promotion effective from 31.07.1997 with consequential benefits within two months from the date of receipt of certified copy of this order. In case the applicants contention is not found substantiated the respondents shall be at liberty to inform the applicant of the position by a speaking order within the same period.

3. The OA is disposed of as above. No Costs.

  
Member-J  
Member-A

/ns/