

Item No.8



## Central Administrative Tribunal Principal Bench, New Delhi

O.A. No.700/2021  
(Diary No.965/2021)

This the 25<sup>th</sup> day of March, 2021

(Through Video Conferencing)

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman**  
**Hon'ble Mr. A.K. Bishnoi, Member (A)**

Lalit Mohan Singh Bisht,  
Aged about 40 years,  
S/o Shri Puran Singh Bisht,  
R/o Qtr. No.41, Type III,  
Audit Colony, Indira Nagar,  
Dehradun-248006

...Applicant

(By Advocate: Mr. Kripa Shankar Prasad with Ms. Rituraj Kumari)

### VERSUS

1. Union of India through  
Comptroller and Auditor General of India,  
9, Deen Dayal Upadhyay Marg,  
New Delhi-110124

2. Principal Accountant General (Audit)  
Uttarakhand, Mahalekhakar Bhawan,  
Kaulagarh, Dehradun-248195

- Respondents

(By Advocate: Mr. Shreesh Chadha)

## ORDER (ORAL)

**Mr. Justice L. Narasimha Reddy:**



The applicant is working as Assistant Audit Officer (AAO) in the office of the Principal Accountant General, Uttarakhand, the 2<sup>nd</sup> respondent herein. In relation to the fixation of his seniority, he made a representation dated 15.07.2019. The 2<sup>nd</sup> respondent issued a reply on 15.05.2020, stating that the matter has been forwarded to the 1<sup>st</sup> respondent for their advice and it is still pending at that level.

2. The applicant filed this OA, with a prayer to direct the respondents to pass an order in the matter pertaining to his promotion to the post of Assistant Audit Officer to be on par with his juniors who were promoted in the year 2017.

3. We heard Mr. Kripa Shankar Prasad, learned counsel for the applicant and Mr. Shreesh Chadha, learned counsel for the respondents, at the stage of admission.

4. At the outset, the objection raised by the learned counsel for the respondents is about the territorial jurisdiction.

5. It is no doubt true that if one takes into account the place where the applicant is working or the place from which the order dated 15.05.2020 emanates, the circuit bench at Nainital would be an appropriate forum. However, a perusal of the reply discloses that

the matter is now under consideration by the 1<sup>st</sup> respondent. Obviously, for that reason, the applicant has chosen to file the OA before the Principal Bench. Therefore, it cannot be said that the OA is filed before a wrong forum.



6. Coming to the grievance of the applicant, almost after one year elapsed since the 2<sup>nd</sup> respondent issued a reply, stating that the matter is under active consideration with the 1<sup>st</sup> respondent. A simple matter pertaining to the promotion of an employee cannot be kept pending for the years together.

7. We, therefore, dispose of the OA, directing the respondent nos. 1 and 2 to pass a reasoned order on the representation dated 15.07.2019 submitted by the applicant, within a period of six weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

**(A.K. Bishnoi)**  
**Member (A)**

**( Justice L. Narasimha Reddy )**  
**Chairman**

/lg/jyoti/mbt/akshaya