

13
1

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD.

REGISTRATION T.A. NO. 614 of 1987.

Prabhat Bagchi

.....

Applicant

Versus

The Union of India & others.....

Respondents.

Hon. Ajay Johri- AM
Hon. G.S.Sharma- JM

This is a Writ Petition received on transfer from the Allahabad High Court under section 29 of the Administrative Tribunals Act no.XIII of 1985. The petitioner was appointed as a Typist in 1963 in the Audit department at Allahabad. He was promoted as Superintendent (Section Officer) in 1969. He alleges that in October, 1980, he was allowed to cross the Efficiency Bar and his work and conduct and integrity has been satisfactory and no adverse entry has ever been made against him by any one in the department. Subsequently, he was given some adverse entries in the confidential report for the year 1981 and 1982 against which, he represented. According to him, he has got relief against these adverse entries because they have been expunged and thus, ^{as there} remains no cause of action ^{by on the account} any more. His only grievance in the petition is now is that his representation dated 6.2.1984 which was made by him to the C.A.G. through proper channel and

43
2

and that it
which has not yet been disposed of may be put up before the C.A.G. for his consideration and orders on the various issues that he has raised in the representation dated 6.2.1984 in respect of promotion. We have heard the petitioner in person and Shri K.C.Sinha for the respondents. Shri K.C.Sinha has produced a copy of the C.A.G.'s Confidential letter dated 2.7.1986 addressed to the D.D.A., Calcutta in which, it has been mentioned that the department has decided that a review departmental promotion committee may be held immediately in respect of the petitioner and further action may also be considered in the light of the findings of the review D.P.C. and that this may also be treated as disposal of his representation regarding his non promotion. There is another copy of the letter which Shri K.C.Sinha has produced which is placed at Annexure-3 of the supplementary affidavit which refers to the representation dated 6.2.1984 saying that by constitution of review departmental promotion committee whose recommendations will be material for considering the case of the petitioner for promotion, representation dated 6.2.1984 may be treated as disposed of. Both these documents do not throw any light whether the representation has been in fact put up before the C.A.G. ~~because~~ ³⁴ The petitioner has in addition to the adverse entries recorded against him which have been

-3-

subsequently expunged brought out certain other factors regarding his promotion which as he alleges was cleared in 1980. We feel that the representation preferred by the petitioner through proper channel should have been put up for orders to the authority to whom it was addressed i.e. the C.A.G. There is nothing to indicate that this has been done. We direct that this application should be disposed of by the C.A.G. within a period of two months from the date of receipt of this order. The application is, disposed of accordingly. *We make no order as to costs.* *✓*

Shahid
MEMBER (J)

अनंग जीता
MEMBER (A)

Dt/16.5.88/
Shahid.