

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BA
ALLAHABAD.

O.A.No.761 of 1986

Ganga Dhar Awasthi Applicant.

Versus

Union of India & others Respondents.

Connected with

T.A.No.767 of 1987

Can file.

Mahendra Kumar Pandey Applicant.

Versus

Union of India & others Respondents.

Hon'ble Mr. Justice U.C. Srivastava, V.C.

Hon'ble Mr. K. Chavva, A.M.

(By Hon'ble Mr. Justice U.C. Srivastava, V.C.)

The applicant Mahender Kumar Pandey was appointed as Lower Division Clerk in the scale of Rs.110-180 in the Office of Central Government, Health Scheme, Kanpur w.e.f. 13.6.72 and was declared quasi-permanent on 20.6.80 and was declared permanent in the cadre of Lower Division Clerk w.e.f. 25.11.81. The applicant was seniormost in the cadre of Lower Division Clerks. A Departmental Promotion Committee was constituted for selection of Upper Division Clerks before whom all Lower Division Clerks including the applicants were listed for selection. The Committee selected only two persons namely; the applicant M.K. Pandey in the 75% quota w.e.f. 2.6.79 and K.P. Tripathi in 25% quota w.e.f. August, 1979. Against the promotion of Sri K.P. Tripathi, the applicant made a representation but he was told that since he was on deputation and was working at Lucknow, that is why the promotion was given to Sri Tripathi and the applicant was granted preforma promotion w.e.f. 2.6.79 in Kanpur. The applicant

But the respondent preferred not to file any copy of the same, was bad in law and as the applicant has a better case than the said Ram Badan, obviously the reversion order is not sustainable and cannot be allowed to stand. Accordingly, the application of M.K.Pandey is allowed and the reversion order is quashed and the applicant will be deemed to be continuing on the post of Upper Division Clerk which he was holding before the reversion order and he is also entitled to all consequential benefits. No order as to costs.

Sd/-
MEMBER(A)

Sd/-
VICE CHAIRMAN.

DATED: NOVEMBER 6, 1992.

(ug)

Prepared
Per
2/12/92