

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 1028 of 1992

Allahabad this the 26th day of April, 2002

Hon'ble Mr.C.S. Chadha, Member (A)
Hon'ble Mr.A.K. Bhatnagar, Member (J)

Shri Anil Sharma, S/o Shri Deva Dutt Sharma,
Deputy Chief Mechancial Engineer(T) Diesel
Locomotive Works, Varanasi M.

Applicant

By Advocate Shri J.C. Bharadwaj

Versus

1. Union of India through Chairman-cum-Principal Secretary, Ministry of Railways, Govt.of India, New Delhi.
2. Chairman, Railway Board, Ministry of Railways Rail Bhawan, New Delhi.
3. Shri D.Kamila, Joint Director(W), R.D.S.O., Lucknow.
4. Shri R.P. Yadav, Dy.Chief Mechanical Engineer, ^{is} c/o General Manager, Eastern Railway, Calcutta.
5. T.P.V.S.S. Rao, Dy.Chief Mechancial Engineer, c/o General Manager, Wheel & Axle Plant, Bangalore.

Respondents

By Advocate Shri Lalji Sinha

O R D E R (Oral)

By Hon'ble Mr.C.S. Chadha, Member (A)

The case of the applicant is that he was considered for Junior Administrative Grade in the Indian Railway Services of Mechanical Engineers

Shri Chadha

by a D.P.C. held in August, 1988. Plea of the applicant is that his C.Rs for 31.03.1988 had not reached the respondents and, therefore, DPC did not consider it. Had the D.P.C. considered his C.Rs upto the period 31.03.1988, he would have received the necessary 17 points from his A.C.R.s, which would have enabled him to qualify for the promotion to the Junior Administrative Grade.

2. In their counter-reply, the respondents have urged that the C.Rs ending 31.03.1987 were considered ^{of} for all candidates and no discrimination was made in this account. It is the common practice to see the last five A.C.Rs leaving out the last one year before the D.P.C. for the very purpose that in many cases such C.Rs ~~have~~ ^{do} not arrive. If ~~before~~ ^{to} the D.P.C. met ~~and~~, the yardstick was kept as the assessment of 5 C.Rs ending 31.03.1987, then no injustice seems to have been done to the applicant. In their counter-reply in para-5(4) thereof the respondents have clearly averred that this is what was done.

3. In the circumstances mentioned above, we find that no injustice has been done to the applicant. Further in the subsequent D.P.C. by following the same practice, his C.Rs upto 31.3.88 was considered and he was found fit. Learned counsel for the applicant has argued that his juniors were

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selected whereas he was overlooked. The selection of his juniors over him would have caused prejudiced to him only if he had also qualified in the five

A.C.Rs ending 31.03.1987, which was adopted as a

len yardstick before the D.P.C. met, *but this was not len*
the case.

4. In the above mentioned circumstances, we find that the applicant is not entitled for any relief. The O.A. is, therefore, dismissed. There shall be no order as to costs.

M
Member (J)

/M.M./

Chawre
Member (A)