

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.

Allahabad this the 18th day of August 2000.

Original Application no. 1225 of 1992.

Hon'ble Mr. S.K.I. Naqvi, Judicial Member

Hon'ble Mr. M.P. Singh, Administrative Member

Mahadeo Prasad Shastri,

S/o Late Chhatar Prasad,

R/o House no. 3H/2 Old or 57, New Sheo Kuti,

Mahadev, Allahabad.

... Applicant

C/A Sri Sri K.P. Srivastava

Versus

1. The Union of India through Director General Post/Secretary, Department of posts, Govt. of India, New Delhi
2. The Director General Posts, Dak-Bhawan, Sansad Marg, New Delhi.
3. The Chief Post Master General, Bihar Circle, Patna.
4. The Post Master General Muzaffarpur Region, Muzaffarpur.

... Respondents

C/Rs. Km..Sadhana Srivastava

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O R D E R

Hon'ble Mr. S.K.I. Nagvi, Member-J.

Shri Mahadeo Prasad Shastari woke up ^{and realized} after retirement that he was denied due promotion when he was in service in the year 1987. His main grievance is that vide annexure A-2 his juniors have been promoted ignoring his claim to the post.

2. Respondents have contested the case and filed Counter Affidavit, mainly on the ground that the referred promotion in the year 1987 was only an ad-hoc arrangement and junior to the applicant had to be given ad-hoc promotion because at that time the applicant was under clouds of departmental proceedings.

3. Heard learned counsel for the rival contesting parties and perused the records.

4. We find that the relief clause is very vague and seeks declaration for promotion of applicant from Class II cadre to Class I cadre without specifying the post which is classified with these cadres. Therefore, this relief can not be granted not only ^{for} being vague but also on the ground that ^{prayer for} the declaration for promotion by the Tribunal shall ^{not be} ~~shall~~ ^{accepted} under the present legal position.

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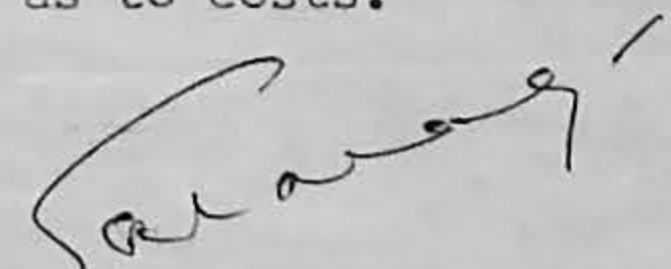
5. The claim of the applicant ^{also} fails on the ground that he has come up seeking relief in the year 1992 for which cause of action ^{accrued} ~~arose~~ to him in the year 1987. For this delay there is no explanation in the O.A.

6. On merit also the case of the applicant is not sustainable because the promotion of Sri G.S. Kujur vide annexure A-2 on April 1987 was only temporary and on adhoc basis and it was clarified there in that the promotion, vide that order ~~could~~ ^{should} not ~~be~~ ^{be} entitled ^{to} Shri Kujur to claim any seniority on that count. The respondents have clarified the position that inspite of Mr. Kujur being junior to the applicant he had to be promoted because at that time the applicant was facing departmental proceedings.

7. For the above, we find no merit in the O.A. which is dismissed accordingly.

8. There shall be no order as to costs.


Member-A


Member-J

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