

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. Naqvi, 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 app-  
licant 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~~ <sup>not</sup> be  
*accepted* under the present legal position.

See -

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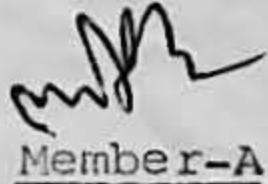
*also*

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

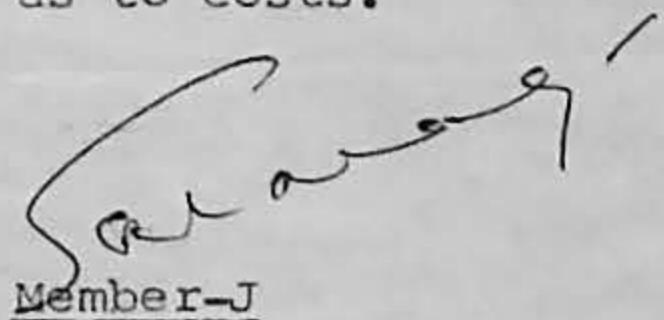
6. On merit also the case of the applicant is not sustainable because the promotion of Sri G.S. Kujur vide annexure A-2 on April 1987 was only temporary and on adhoc basis and it was clarified there in that the promotion, vide that order could not entitle Shri Kujur to claim any seniority on that count. 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

/pc/