

23.

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 29TH DAY OF MARCH, 2001

Original Application No.1772 of 1993

CORAM:

HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

HON.MR.S.BISWAS, MEMBER(A)

Nageshwar Lal, S/o late  
Shri B.L.Srivastava, a/a 38 years  
R/o 34/4 Karelabagh colony  
Allahabad.

... Applicant

(By Adv: Shri H.C.Lal)

Versus

1. Secretary to Government of India, Ministry of Labour, Shram Shakti Bhawan, Rafi Marg, New Delhi.
2. Director General(LW), Govt of India, Ministry of Labour, Jaisalmer House Mansingh Road, New Delhi.
3. Welfare Commissioner, Labour Welfare Organisation, 555-A/2 Mumfordganj Allahabad.
4. Sri Umesh Chandra, S/o not known presently H.C.A, in the office of Welfare Commissioner, Labour Welfare Organization, Allahabad.
5. Sri R.P.Singh, s/o not known at present Head Clerk, Welfare & Cess Commissioner Labour Welfare Organization 555A/2 Mumfordganj, Allahabad.

... Respondents

(By Adv: Shri S.C.Tripathi)

O R D E R (Oral)

JUSTICE R.R.K.TRIVEDI,V.C.

It is not disputed that applicant has been promoted as Head clerk during the pendency of this OA. however Shri H.C.Lal learned counsel for the applicant submitted that promotion has <sup>not</sup> been given to the applicant from the date Shri Umesh Chandra respondent no.4 and thereafter Shri R.P.Singh respondent no.5 <sup>were</sup> promoted. Thus, the

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only issue left to be decided<sup>is, go to</sup> from which date applicant could be granted promotion. For this in our opinion, the ends of justice shall be better served if the respondents<sup>are</sup> asked to decide the representation<sup>filed</sup> before the Competent Authority, Respondent no.3 Welfare Commissioner, 555 A, Mumfordganj, Allahabad, which may be decided by a reasoned order within a limited time.

The OA is accordingly disposed of finally with the liberty to the applicant to make a representation before Respondent no.3 namely Welfare Commissioner, Labour Welfare Organization, Allahabad within two weeks. The representation if so filed, shall be considered and decided by a reasoned order by Respondent no.3 within three months from the date a copy of this order is filed before him. Copy this order shall be given to the counsel for the parties by the office. There will be no order as to costs.

*S. B. Sin*  
MEMBER(A)

*[Signature]*  
VICE CHAIRMAN

Dated: 29.3.2001

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