

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 1091 of 1995

Allahabad this the 07th day of November, 2002

Hon'ble Mr.Justice R.R.K. Trivedi, V.C.
Hon'ble Maj Gen K.K. Srivastava, Member (A)

Purshottam Saran Pal S/o Prem Ray Pal, Sorting Agent
Railway Mail Service, B.L. Division, Moradabad.

By Advocate Shri K.R. Singh

Applicant

Versus

1. Union of India through the Secretary, Ministry Posts, New Delhi.
2. Superintendent, R.M.S. B.L. Division, Bareilly.
3. Director Postal Services, Bareilly Region, Bareilly.
4. Post Master General, Bareilly Region, Bareilly.

Respondents

By Advocate K.M.S. Srivastava

O R D E R (Oral)

By HOn'ble Mr.Justice R.R.K.Trivedi, V.C.

By this O.A. under Section 19 of the Administrative Tribunals Act, 1985, the applicant has challenged the orders dated 29.01.93, 18.07.94, 01/16.6.95, 31.12.91 and 25.01.92, and also ^{prayed u} for declaration that the applicant was entitled for promotion w.e.f. 05.07.91 under TBOP Scheme.

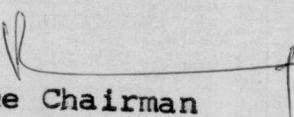
2. The respondents have filed the counter-reply. In para-4 whereof it has been stated that

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the applicant was serving as Sorting Assistant in Railway Mail Service, BL Division, Moradabad. On completion of 16 years of service, he was entitled for promotion under TBOP scheme but, the applicant was awarded punishment by order dated 31.03.93 depriving him of the increments for a period of 2½ years. The D.P.C. which met on 28.12.92, 13.10.93, 18.07.94 and 26.06.95 could not find him fit for promotion on account of pendency of disciplinary proceedings and currency of penalty. ^{Imposed} This O.A. was filed on 16.10.95, by which date the punishment awarded by order dated 31.03.93 was already over. In the circumstances, the applicant was entitled to be considered for promotion, provided he satisfied other conditions for grant of TBOP. The O.A. is accordingly disposed of finally with the direction to the respondents to consider the claim of the applicant for promotion under TBOP Scheme, if he has already ^{not} been granted promotion. No order as to costs.



Member (A)



Vice Chairman

/M.M./