

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 13TH DAY OF NOV; 2002

Original Application No.1318 of 2002

CORAM:

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

HON.MR.SARVESHWAR JHA, MEMBER(A)

Vijay Kumar Sharma, Son of  
Shri Prem Singh Sharma  
R/o Qr.No.454/1, Four Area  
Air Force Station, Agra.

... Applicant

(By Adv: Shri Pankaj Srivastava)

Versus

1. Union of India through  
Secretary, Ministry of Defence,  
New Delhi.
2. Engineer-in -Chief  
Army Head Quarter, Kashmiri  
House, New Delhi.

... Respondent

(By Adv: Shri R.C.Joshi)

O R D E R (ORAL)

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

By this OA u/s 19 of A.T.Act 1985 applicant  
has prayed for a direction to the respondents to  
promote the applicant to the post of Asstt. Surveyor  
of works from the date his juniors have been promoted  
with all consequential benefits. It has also been  
prayed that the respondents no.2 may be directed to  
decide the representation of the applicant which is  
pending expeditiously.

The facts of the case are that the applicant joined  
as Asstt. Surveyor Gr-I in the year 1985. Presently

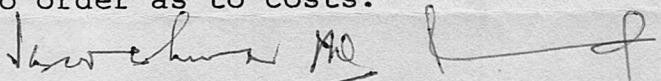
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he is serving in the office of Garrison Engineer Kheria, Agra. The case of the applicant is that after acquiring minimum qualification prescribed for the post of Asstt. Surveyor Gr-I the applicant was empanelled in the year 1990. However, he has not been promoted as Asstt. Surveyor of Works though juniors have been promoted. It appears that the promotions were granted in pursuance of the judgments dated 18 18.5.1998 and 11.3.1999 passed by Hon,ble High Court of Jammu and Kashmir in two separate benches. The D.P.C was accordingly held by U.P.S.C. for promotion Asstt. Surveyor of Works against the vacancies of 1992-93 and 19994. On the basis of the recommendation of the DPC15 Asstt. Surveyors of Works were selected. The applicant claims that he should also be considered for promotion but he has been illegally ignored.

Before coming to this Tribunal applicant filed a detailed representation on 1.2.02 addressed to respondent no.2, Engineer-in-Chief, Army Head Qrs. The representation has not been decided.

In the circumstances, in our opinion, the ends of justice will be served if the respondent no.2 is directed to decide the representation of the applicant by a reasoned order within a specified time.

The OA is disposed of finally with a direction to respondent no.2 to decide the representation of the applicant in accordance with the law and in the light of judgment of Jammu & Kashmir High court within a month from the date a copy of this order is filed. To avoid delay, it shall be open to the applicant to file a fresh copy of the representation alongwith copy of the copy of judgement of Jammu and Kashmir High court. No order as to costs.

  
MEMBER (A) ..... VICE CHAIRMAN

Dated: 13.11.2002

Uv/