

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No.1000 of 2003(U)

Allahabad this the 02nd day of September, 2003

Hon'ble Maj Gen K.K. Srivastava, Member (A)
Hon'ble Mr. A.K. Bhatnagar, Member (J)

Sri Vinoy Kumar Joshi, Son of Late Sri Gopi Ram Joshi, resident of H-227, Survey Estate, Hathibarkala, Dehradun, Uttaranchal.

Applicant

By Advocate Shri K.K. Arora

Versus

1. Union of India through Secretary, Ministry of Science and Technology Bhawan, New Mehrauli Road, H 943-Khas, New Delhi-110001.
2. Surveyor General of India, Survey of India, Hathibarkala, Dehradun, Uttaranchal.
3. Director, Map Publication Directorate, Survey of India, Hathibarkala, Dehradun, Uttaranchal,

Respondents

By Advocate Shri R.C. Joshi

O R D E R (Oral)

By Hon'ble Maj Gen K.K. Srivastava, Member (A)

In this O.A. filed under Section 19 of the Administrative Tribunals Act, 1985 the applicant has prayed for direction to the respondent no.2 to decide the appeal dated 12.11.2002..

2. The grievance of the applicant is that the person shown at serial no.8-Dinesh Kumar Mishra in the promotion list dated 23.09.02 has wrongly

been promoted ignoring the claim of the applicant. The applicant has pleaded that Shri Dinesh Kumar Mishra is not from Handicapped quota, he was recruited as a general candidate and, therefore, promoting him ignoring the claim of the applicant is illegal, arbitrary and discriminatory.

3. The applicant aggrieved by the promotion order dated 23.09.02 in respect of Shri D.K. Mishra has filed an appeal before the respondent no.2 on 12.11.2002 (annexure-7). The applicant has prayed that inspite of lapse of more than 8 months, same has not been decided and hence applicant filed this O.A.

4. In our considered opinion, the prayer made by the applicant is genuine. Once the applicant files an appeal, the respondent no.2 ought to have decided it within a reasonable time, which has not been done. The ends of justice shall better be served if a direction is issued to respondent no.2 to decide the applicant's appeal dated 12.11.2002 by a reasoned order within a specified time.

5. In view of the above, we direct the respondent no.2 to decide the appeal of the applicant dated 12.11.02 (annexure-7) by a reasoned and speaking order within 3 months from the date of communication of this order.

6. The O.A. is finally decided with the above direction at the admission stage itself with no order as to costs.

/M.M./

Member [J]

Member [A]