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OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION NO.352 OF 2007

TUESDAY, THIS THE 10TH DAY OF APRIL, 2007

HON'BLE MR. P. K. CHATTERJI, MEMBER-A
HON'BLE MR. S. K. DHAL, MEMBER-J

Baij Nath (T.No.1163)
Lifter Driver Ordinance,
Depot Fort, Allahabad.

.Applicant

By Advocate : Shri S. K. Singh

Versus

1. Union of India through secretary of Defence Ministry, New Delhi.
2. The Directorate General of Ordinance Services Master General of Ordinance Branch Army Head Quarters DHQ PO -New Delhi-110011.
3. HQ Central Commandant Lucknow.
4. Army Ordinance Records Secundrabad-15.
5. The Commandant O.D. Fort, Allahabad.

.Respondents

By Advocate : Shri S. Singh

O R D E R

HON'BLE MR. P. K. CHATTERJI, MEMBER-A

The applicant has been officiating as Civil Motor Driver under respondent no.5. He ~~was~~ started working with the respondents since 1979. In 1982, as stated by the applicant, he was regularized. He passed the test for Lister Driver in the year 1991 and was promoted as Lister Driver in 2004.

2. The promotion to Civil Motor Driver is made *from* amongst from Lister Drivers according to their

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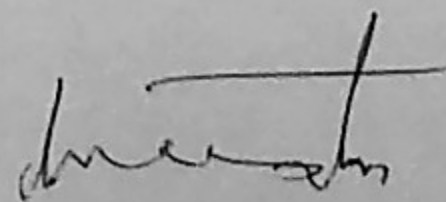
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seniority and suitability. The applicant is aggrieved that although he qualified in the test for Lister Driver in 1991 he has yet not been considered for promotion as Civil Motor Driver. On the other hand, certain officials namely, Hari Ram Singh and Badri Prasad, who passed the test of Lister Driver as recently as 2001, were promoted as Civil Motor Driver in 2005. However, the respondents have not considered the claim of the applicant and have rejected his promotion as Civil Motor Driver.

3. The applicant has filed representations before the Commandant, Ordnance Depot, Fort Allahabad firstly on 01.02.2007 and secondly on 02.03.2007.

4. We are of the view, that the claim of the applicant for being considered for promotion is legitimate and reasonable. If he has not been considered, at least he should be apprised of the reasons for not being considered. We are of the view, that this application can be disposed of at the admission stage itself by a suitable direction to the respondents to consider his representation and take suitable action as admissible under the Rules and after verifying the correctness of the facts, as stated by the applicant and mention in the above paras.

5. With that in view, we direct the respondent no.5 will consider the representations as stated above and

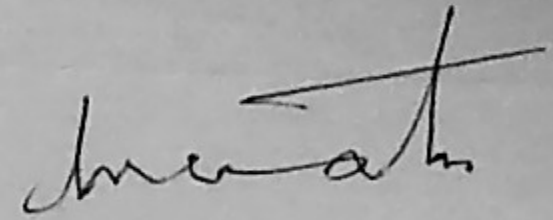


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take a decision as per rules and communicate the same to the applicant through a reasonable, speaking order within a period of three months from the date of receipt of a certified copy of this order. No Costs.



Member-J



Member-A

/ns/