

(OPEN COURT)

**CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH
ALLAHABAD**

Allahabad, this the 28th day of August, 2012

Hon'ble Mr. Sanjeev Kaushik, Member-J
Hon'ble Mr. Shashi Prakash, Member- A.

Original Application No. 802 of 2007
(U/s 19 of Administrative Tribunal Act, 1985)

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

..... **Applicant.**

By Advocate: Shri S.K. Singh (not present)

V E R S U S

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

..... **Respondents**

By Advocate : Shri R.K. Srivastava

ORDER

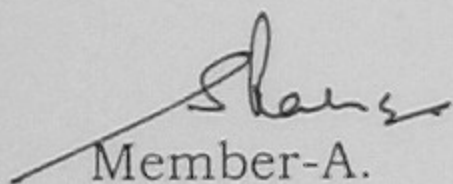
By Hon'ble Mr. Sanjeev Kaushik, J.M.

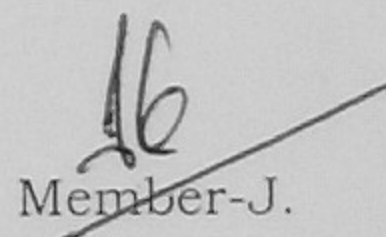
By way of the present original application under section 19 of Administrative Tribunals Act 1985 the applicant seeks quashing of the order dated 30.05.2007 passed by the respondent No. 3 whereby the claim of the applicant has been rejected.

2. Pursuant to the notice the respondents represented through Shri R.K. Srivastava, who has filed detailed Counter Affidavit and has supported the impugned order. It is submitted by the counsel for respondents that the case of the applicant was earlier not considered for promotion as he was not having three years regular service as Lister Driver. Subsequently when he was found eligible he was given the benefit of 2nd A.C.P in December 2007. He submitted that since the applicant did not found eligible for consideration for promotion, therefore, rightly his claim was rejected by the impugned order.

3. We have gone through the impugned order and we are unable to accept the contention of the applicant in the original application that the order is not speaking and having been passed without application of mind. The order contains reasons, therefore, we do not find any reason to interfere with the impugned order dated 30.05.2007.

4. In view of the above the O.A is dismissed being devoid of merits.


Member-A.


Member-J.

Anand/