

CORAM : HON'BLE MR. P. H. TRIVEDI .. VICE CHAIRMAN
HON'BLE MR. P. M. JOSHI .. JUDICIAL MEMBER.

29.09.1989.

Heard Mr. I.M.Kapoor and Mr. J.D.Ajmera the learned advocates for the petitioner and respondents. During the hearing, it was found that there are certain ^{issues} discriminate and inconsistency at page 20, It has been stated that the petitioner was on special leave on 26th April, 14th May, 17th May and from 10th June and 21st June, 1985. But at the page 12 at Annexure 'A' in communication dt. July 29, 1986 in the memorandum communicating adverse remarks for 1985, it has been stated that special leave is not granted from April 24 to April 30, 1985, May 13 to May 21, 1985 and June, 3 to June 21, 1985. Therefore it is clear that the competent authority which should disposed of their representations against adverse remarks already made in this case, ⁱⁿ its conclusion that the adverse remarks should stand ~~and~~ can be regarded as premature and incomplete. Further, if the adverse remarks are ^{expanded} ~~expanded~~ ^{or} modified ~~or retain~~, The position regarding the D.P.C. findings ^{may be} ~~that~~ the petitioner might not go considerable change. It is therefore proper in the circumstances of the case that the following directions are issued. The competent authority disposing of their representations against adverse remarks, in the light of the above discriminate and inconsistency, take a view regarding the retentions, ^{or expansion} ~~and expansion~~ of the adverse remarks within a period of two months from the date of this order. Thereafter, the revise A.C.R. be

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placed before the competent to decide about the promotion of the petitioner. Such promotion may be given from the date ~~which are~~ take in the light thereof. *give a decision*

The learned advocate Mr. J.D. Ajmera for the respondent stated that the petitioner has been promoted in the following year 1987. A copy of the order, therefore *be* produced and retained on the file. With the aforesaid observations and directions the case be disposed of. D.P.C. proceedings in the sealed cover may be returned *ed*

Phenji

(P. H. Trivedi)
Vice Chairman.

Impe

(P. M. Joshi)
Judicial Member.

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