

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

O.A. No. 498/88
TAX NO.



DATE OF DECISION 13/10/1993

Shri Laxmikanth Rao Srinivas Rao Petitioner

Mr. R.R. Tripathy

Advocate for the Petitioner(s)

Versus

Union of India & Ors.

Respondent

Mr. Jayant Patel

Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. N.B. Patel

: Vice Chairman

The Hon'ble Mr. V. Radhakrishnan

: Member (A)

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

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Shri Laxmikanth Rao Srinivas Rao,
Senior Technical Assistant,
Archaeological Survey of India,
Excavation Branch-IV,
13, Sangam Society,
Harni Road, Baroda-6.

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:Applicant

(Advocate: Mr.R.R.Tripathy)

Ver sus

1. Union of India,
Secretary, Deptt. of Culture,
Ministry of Human Resource Development, Shastri Bhavan, New Delhi.

2. The Director General,
Archaeological Survey of India, Janpath, New Delhi-110 001.

3. Shri J.M.Thaper,
Assistant Superintending Archaeologist,
Archaeological Survey of India,
Aurangabad Circle, Bibi Ka Makbara,
Aurangabad (Maharashtra).

4. Shri V.C.Sharma,
Assistant Superintending Archaeologist, Archaeological Survey of India, Museums Red Fort, New Delhi. : Respondents.

(Advocate: Mr.Jayant Patel)

ORAL ORDER

IN

O.A.498/88

Date: 13/10/1993

Per: Hon'ble Mr.N.B.Patel

: Vice Chairman

After long discussion at the bar, it appears that the respondents have not fully disclosed as to why the case of the applicant for promotion to the post of Assistant Superintending Archaeologist (Gazetted II) was not sent up for consideration to the DPC held in the year 1985. However, in the circumstances of the case, it appears to be appropriate to direct the respondents to consider a representation, if made by the applicant, and to decide whether the applicant was eligible for being considered as at the time of the DPC meeting held in 1985 and whether

(B)

he was falling within the zone of consideration as might have been fixed for the said DPC meeting and whether, if the applicant was found to merit being included on the select list prepared by the said DPC, the applicant should not be given proforma promotion and award of monetary relief on that basis. Mr.Tripathy states that the applicant will make such a representation within three weeks from today and, if the applicant makes such a representation within the said stipulated period, the respondents are directed to consider the representation within a period of eight weeks after its receipt by them and to communicate their decision to the applicant. In view of these directions, Mr.Tripathy seeks permission to withdraw the Original Application. Permission granted. Application stands disposed of as withdrawn. No order as to costs.



(V.Radhakrishnan)
Member (A)



(N.B.Patel)
Vice Chairman

a.a.b.