

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

AHMEDABAD BENCH

NO
Promotion

O.A. No. 56 OF 1993.

Tax No.

DATE OF DECISION 9.3.1993

Ishaq Abdulmajid, Petitioner

Mr. Rupen Shah for Mr. B.T. Buch Advocate for the Petitioner(s)

Versus

Union of India, Respondent

Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. R.C.Bhatt, Judicial Member.

The Hon'ble Mr. V.Radhakrishnan, Admn. Member.

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? ✗

Ishaq Abdulmajid,
Senior Cleaner,
Electrical Power Department,
Baroda Divisional Office,
Office of the Western Railway,
Baroda. Applicant.

(Advocate: Mr. Rupen Shah
for Mr. B.R. Buch)

Versus.

Union of India, to be served
through Senior Divisional Engineer,
Western Railway, Baroda,
Railwaypura, Baroda. Respondent.

ORAL ORDER

O.A.No. 56 OF 1993

Date: 9.3.1993.

Per: Hon'ble Mr. R.C.Bhatt, Judicial Member.

Heard Mr. Rupen Shah for Mr. B.R. Buch,
learned advocate for the applicant.

2. The applicant, a Senior Cleaner, filed this application under section 19 of the Administrative Tribunals Act, seeking the relief that the respondents Western Railway, Baroda Office

be directed to consider the case of the applicant for promotion. Unfortunately it is not mentioned

as to which post he wants to consider for promotion.

On enquiry the learned advocate for the applicant

it appears that the applicant on passing the trade

test was given a promotion, but he refused the said

promotion vide Annexure A-4 dated 1st December, 1990

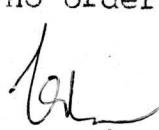
on the grounds mentioned therein. The learned

advocate for the applicant submits that after one year after this intimation, the applicant is entitled to be considered again for promotion, but the respondent~~s~~ have still not considered him for promotion. There is no material before this Tribunal to hold even *prima facie* that the applicant has not been considered for promotion one year after he had shown his ~~un~~willingness for promotion. Therefore, at this stage it is not possible for us to give any direction regarding promotion to the respondent~~s~~.

However this application can be disposed of at the stage of admission by directing the applicant to make suitable representation to the respondent authority to consider him for promotion according to the rules sympathetically as the applicant has passed the ~~trade~~ test. Hence we pass the following order:

O R D E R

The respondent to consider and decide the representation of the applicant sympathetically regarding the question of his promotion on receiving the said representation within four weeks from the date of this order. The respondent to intimate the decision to the applicant. Application is disposed of with no order as to costs.


(V. Radhakrishnan)
Member (A)


(R.C. Bhatt)
Member (J)

CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH
AHMEDABAD.

Application No. 09/56/93 of 199

Transfer Application No. _____ Old Writ Pet. No. _____

C E R T I F I C A T E

Certified that no further action is required to be taken and
the case is fit for consignment to the Record Room (Decided).

Dated : 30/03/93.

Countersigned :

Section Officer/Court Officer

R.S. Christian
Sign. of the Dealing Assistant.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AT AHMEDABAD BENCH

INDEX SHEET

CAUSE TITLE 09/56/93 OF \$9

NAME OF THE PARTIES Jeffrey Abduhancyid

VERSUS

U. of T. 8025

PART A B & C