

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH CUTTACK

Original Application No. 424 of 1991

Date of Decision: 13.9.1993

Abhimanyu Nayak & Others

Applicant(s)

Versus

Union of India & Others

Respondent(s)

(FOR INSTRUCTIONS)

1. Whether it be referred to reporters or not ? M
2. Whether it be circulated to all the Benches of the Central Administrative Tribunals or not ? M

MEMBER (ADMINISTRATIVE)

13 SEP 93

VICE-CHAIRMAN

Aug 13/9/93

**CENTRAL ADMINISTRATIVE TRIBUNAL
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Respondent(s)

For the applicant

M/s .Devanand Misra
Deepak Misra
R.N.Naik,A.Deo
B.S.Tripathy
P.Panda
Advocates

For the respondents

Mr. Aswini Kumar Mishra
Standing Counsel
(Central Government)

... . . .

C O R A M:

THE HONOURABLE MR. K. P. ACHARYA, VICE-CHAIRMAN

AND

THE HONOURABLE MR. H. RAJENDRA PRASAD, MEMBER (ADMN)

JUDGMENT

MR.K.P.ACHARYA, VICE-CHAIRMAN, Petitioners, five in number are in the grade of Upper Division Clerks in charge of posts under Savings Bank Control Organisation. They have prayed for a direction to the opposite parties to give promotion under the Time Bound Promotion Scheme on completion of 16 years of service, and further more a declaration that the UDCs under the Savings Bank Control Organisation are deemed to have been merged with the rank of L.S.G. Supervisors

Control Organisation. They claim promotion to the Time Bound Promotion Scheme with effect from 17.12.1993, when such scheme came into force ^{and} _{to} give promotion to different incumbents who had completed 16 years of service.

3. In their counter the opposite parties maintain that the petitioners were initially appointed in May, 1983 and the Time Bound Promotion Scheme for the incumbents working under the Savings Bank Control Organisation having come into force on 1.8.1991, the case of the petitioners could be considered for promotion on their completion of 16 years of service with effect from May, 1983; and therefore, the case being devoid of merit is liable to be dismissed.

4. We have heard Mr. B.S. Tripathy, learned counsel for the petitioners and Mr. A.K. Mishra, learned Standing Counsel. The opposite parties, in their counter at paragraph 4 have stated the date of appointment of all the petitioners. Petitioners, M/s. Abhimanyu Nayak, Manas Ranjan Rout, Bishnu Mohan Rout have been appointed on 27.5.1983 as U.D.C.s. Petitioner Shri Prasanna Kumar Behera joined the Department in the grade of U.D.C. on 28.5.1983. There has been no contradiction on behalf of the petitioners to these dates furnished by the opposite parties. Therefore, we have no other option but to presume that the dates furnished by the opposite parties are correct. The Time Bound Promotion Scheme for the Savings Bank Control Organisation came into force on 1.8.1991 is not disputed before us. Rules prescribe that the incumbents are entitled to promotion under the Scheme only after completion of 16 years of service. Therefore,

the petitioners are entitled to promotion on completion of 16 years of service with effect from the date(s) on which the petitioners joined the department. Thus the application is accordingly disposed of. No costs.

1.5.9.93
MEMBER (ADMINISTRATIVE)
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legally valid
13.9.93

VICE-CHAIRMAN

Central Administrative Tribunal
Cuttack Bench Cuttack
dated the 13.9.1993/ B.K. Sahoo

