

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

ORIGINAL APPLICATION NO.1257 OF 2003

Cuttack this the 20th day of July, 2006

CORAM:

THE HON'BLE MR.JUSTICE R.K.BATTA, VICE-CHAIRMAN
AND
THE HON'BLE MR. B.B.MISHRA, MEMBER(ADMINISTRATIVE)

Krupasindhu Behera, aged about 42 years, S/o.late Narayan Behera at present working as Junior accountant in the office of the Director of Accounts (Postal), At-Mahanadi Vihar, PO-Nayabazar, Town/Dist-Cuttack-4

...Applicant

By the Advocates :M/s.S.K.Das

S.S.Mohapatra
G.R.Mohanty,
S.K.Chhotray
J.K.Swain

-VERSUS-

1. Union of India represented through its' Secretary, Ministry of Communications, Department of Post, Dak Bhawan, Postal Accounts, New Delhi
2. Director General, Department of Posts (P.A.Wing), 4th Floor, Dak Bhawan, New Delhi
3. Chief Postmaster General, Orissa, Bhubaneswar, At/PO-Bhubaneswar, Dist-Khurda
4. Director of Accounts (Postal), At-Mahanadi Vihar, PO-Nayabazar, Town/Dist-Cuttack-753004

...Respondents

By the Advocates : Mr.S.B.Jena,A.S.C

Mr.U.B.Mohapatra,S.C.S.



ORDER
(Oral)

MR. JUSTICE R.K. BATTA, VICE-CHAIRMAN: Heard counsel appearing on both sides.

2. The applicant joined as Junior Accountant on 27.7.1990. For the next promotion to the post of Senior Accountant, three years' service as Junior Accountant is required. The applicant claims that he had completed the said period of three years in 1993 and being physically handicapped, he should have been considered for promotion to the post of Senior Accountant when he became eligible. The applicant had filed simultaneous proceedings in respect of the same matter before the Court of Chief Commissioner For Persons With Disabilities. By judgment & order dated 6.8.2004, the Court of Chief Commissioner For Persons With Disabilities has directed the Respondents that the applicant should be considered for promotion to the post of Senior Accountant with effect from the date he became eligible on completion of qualifying service by reviewing the relevant D.P.C., if necessary.

3. Learned counsel appearing on both sides submit that the said judgment & order dated 6.8.2004 is of the competent authority. Since the directions are already given by the competent authority to consider the case

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of the applicant for promotion to the post of Senior Accountant with effect from the date he became eligible on completion of qualifying service by reviewing the relevant D.P.C. if necessary, it is not considered necessary to issue any further instructions in the matter, as the authorities are bound to consider the case of the applicant in terms of the judgment & order dated 6.8.2004 of the Court of Chief Commissioner For Persons With Disabilities.

4. The application is accordingly disposed of in aforesaid terms, with no order as to costs.

B.B.M.
(B.B.MISHRA)
MEMBER(ADMN.)

R.K.B.
(R.K.BATTA)
VICE-CHAIRMAN