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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O.A. No.406 of 2008

Muralidhar DalaiApplicant

-Versus-

Union of India & Others. Respondents

For the Applicant: M/s.P.K.Padhi, J.Mishra, Counsel

For the Respondents: Mr.S.B.Jena, ASC

(For details refers the cause title of the OA]

Order dated the 18th March, 2011.

C O R A M


THE HON'BLE MR.C.R.MOHAPATRA, MEMBER (A)

A N D

THE HON'BLE MR.A.K.PATNAIK, MEMBER (J)


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In this OA the prayer of the applicant is to direct the Respondent No.3 to promote the applicant to Group D post in terms of Rule 3 of the GDS Rule from the date his junior was promoted to the said post. Respondents filed their counter contesting the case of the Applicant. No rejoinder has been filed by the Applicant. Heard Learned Counsel for both sides and perused the materials placed on record. Rule 3 of the GDS Rules, 2001 deals with regard to the manner and method of promotion of Extra Departmental employees to the Gr.D posts existing in the Postal Department. This rule does not provide that irrespective of the length of service, one has a right to be promoted after putting



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certain length of service in ED posts. However, it has been stated by the Respondents that no junior of the applicant has been promoted ~~in~~ ignoring the right of the Applicant to consider him. The Applicant has also not pin pointedly stated with reference to the gradation list, who are the juniors ^{and who} would have superseded him in promotion to Gr. D post in Postal Department. The Applicant has also not challenged the order of promotion of any such junior in this OA. He has also not made any one of them as party to this OA. In effect this application is totally vague in absence of details as stated above, which in our considered opinion deserves to be dismissed. Accordingly, this OA being devoid of any merit stands dismissed by leaving the parties to bear their own costs.


(A.K.PATNAIK)
Member (Judicial)


(C.R. MOHAPATRA)
Member (Admn.)