

O.A. No. 361 of 2009

Order dated: 24.08.2009

CORAM:

Hon'ble Shri C.R.Mohapatra, Member (A)

Heard Mr. Susanta Das, Ld. Counsel appearing for the applicant and Mr. S.B.Jena, Ld. Additional Standing Counsel for the Respondents appearing on notice.

2. The case of the applicant is that he is eligible for promotion to the rank of Assistant Station Engineer, the junior time scale post in Group-A. He is already placed in the feeder grade of Assistant Engineer and also possesses the prescribed qualification for the promotional post. In the past he has been ignored for promotion. Now he submits that the Respondents have prepared an eligibility list as on 01.01.2007 to consider the eligible officers for promotion to the grade of Assistant Station Engineer in the near future but in that list his name does not figure despite he having possessed the requisite qualification and the number of years of service in the feeder grade. Ld. Counsel for the applicant further submits that the applicant has already approached the concerned authorities by making a representation at Annexure-A/6 (at page 130 of the O.A.) and the same has

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been forwarded by the Assistant Station Director, Dhenkanal to the Director General, All India Radio, Akashvani Bhavan, Parliament Street, New Delhi. Ld. Counsel for the applicant submits that he will be satisfied if the representation is considered and decided by the concerned authorities and, accordingly, he does not press for the consideration of the present O.A. However, it is seen that the applicant has already made a request for grant of interim relief as under:

"during pendency of the Original Application a direction may be issued to the Respondent No.1 to dispose of the representation as per Annexure-A/6."

3. Since the Ld. Counsel for the applicant has expressed his views that he will be satisfied if the representation is considered by Respondent No. 2 and the Ld. Counsel for the Respondents has also no objection to the same, it is considered that ends of justice would be met if a direction is issued to Respondent No.2 to consider the representation at Annexure-A/6 and pass a reasoned order regarding the inclusion of the name of the applicant in the eligibility list meant for preparing a base for the consideration of eligible persons for promotion to the post of Assistant Station Engineer. Ordered accordingly.

4. Respondent No.2 shall dispose of the representation within a period of 30 days from the date of receipt of a copy of this order.

5. Ld. Counsel for the applicant undertakes to serve a copy of this O.A. as well as copies of this order on the Respondent No.2 for compliance of the above order.

6. With the above observation and direction, the O.A. is disposed of. No costs.


MEMBER (A)

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