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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH
JODHPUR

Date of Order: 3.8.95.

O.A.No.187/1995.

S.P.Chugh

... Applicant.

VERSUS

Union of India & Ors.

... Respondents.

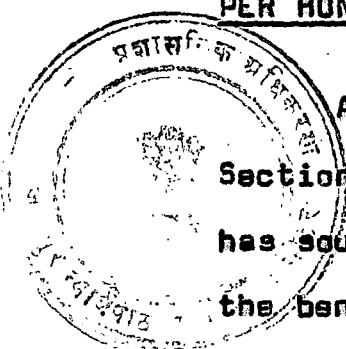
Mr. J.K.Kaushik, Counsel for the applicant.

CORAM:

Hon'ble Mr. Gopal Krishna, Vice Chairman.

Hon'ble Ms Usha Sen, Administrative Member.

PER HON'BLE MR. GOPAL KRISHNA :



Applicant S.P.Chugh in this application under Section 19 of the Administrative Tribunals Act, 1985, has sought a direction to respondents 1 & 2 to extend the benefits of restructuring to the applicant and promote him to the scale post of Chief Signal Inspector scale Rs.2375-3500/- in terms of the scheme at Annexure A/3 with all consequential benefits at par with his next junior. The applicant has sought modification of the impugned order dated 26.6.93 at Annexure A/1.

2. We have heard the learned counsel for the applicant and have perused the records.

...2.

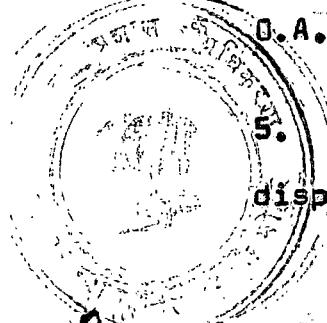
3. The applicant was promoted as Chief Signal Inspector scale Rs.700-900/2000-3200 on 3.11.82 on officiating basis and his promotion was regularised but with effect from 1.1.84/in spite of the fact that the applicant was within the zone of consideration, he was not considered for promotion to the post of Chief Signal Inspector scale Rs.2375-3500 which is a non selection post and is required to be filled up on the basis of seniority-cum-fitness. Respondent No.3, who is alleged to be junior to the applicant was promoted to the said post ignoring the applicant's claim for promotion. When the applicant came to know about his supersession in November, 1993 he made a representation to the concerned authority vide Annexure A/5 dated 9.11.93 which has not so far been disposed of. The learned counsel for the applicant now wants that his representation be disposed of on merits through a detailed speaking order.

4. In the circumstances, we direct the respondent No.1 to dispose of the applicant's representation at Annexure A/5 dated 9.11.93 meeting all the points raised therein through a detailed speaking order within a period of three months from the date of receipt of a copy of this order. Let a copy of the O.A. be sent alongwith a copy of this order to respondent No.1 within a week. If the applicant

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is aggrieved by any decision taken on his representation, he shall be at liberty to file a fresh D.A. if so advised.

5. With the above direction the D.A. stands disposed of at the stage of admission.


(Usha Sen)
Member (A)


(Gopal Krishna)
Vice Chairman

V.S/M.