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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH : JODHPUR

Date of Decision : 15.01.2002.

O.A. No. 47/1998.

Kashmiri Lal son of Shri Pera Ram, aged about 38 years, resident of Key Personnel Qtr. No. 27/2, KLP Area, Abohar, at present employed on the post of Electrician HS-II in the office of Garrison Engineer, Abohar, Distt. Firozpur.

... APPLICANT.

v e r s u s

1. Union of India through Secretary to Govt. of India, Ministry of Defence, Raksha Bhawan, New Delhi.
2. The Chief Engineer, Western Command, Chandimandir.
3. Commander Works Engineer, sriganganagar Distt. Sriganganagar.
4. Shri Wilati Ram MES-366613, Electrician-II, O/o AGE, B/R Fazilka Cantt Distt. Firozpur.
5. Shri Ravael Singh MES-352387, Electrician-II, O/o AGE, B/R Fazilka Cantt Distt. Firozpur.
6. Shri Prem Singh MES-366730, Electrician-II, O/o G.E. Abohar KLP Area Distt. Firozpur.
7. Commandwer Works Engineer, Army, Bikaner.

... RESPONDENTS.

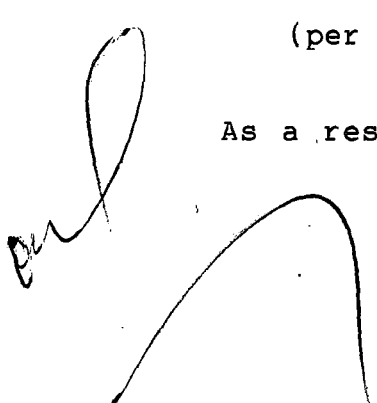
Mr. J.K. Kaushik, counsel for the applicant.
Mr. Kuldeep Mathur, Adv. brief holder for
Mr. Ravi Bhansali, counsel for the respondents.

CORAM

Hon'ble Mr. Justice O.P. Garg, Vice Chairman.
Hon'ble Mr. A.P. Nagrath, Administrative Member.

: O R D E R :
(per Hon'ble Mr. Justice O.P. Garg)

As a result of the Restructuring Scheme, which



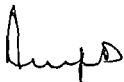
was enforced since the year 1996, certain persons who were junior to the applicant were promoted. The applicant was denied the benefit of promotion on account of the fact that, at the relevant time, the applicant was working in Sriganganagar and, therefore, the authorities at Suratgarh did not consider his case.

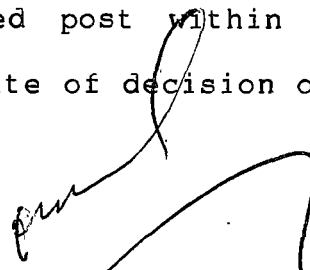
2. After having heard the learned counsel for the parties, we feel that the factual aspect of the controversy cannot be gone into and decided by this Tribunal. It can effectively be decided by Respondent No. 2, who is the competent authority in the matter, i.e. the Chief Engineer, Western Command, Chandimandir.

3. Shri J.K. Kaushik, learned counsel for the applicant, states that the applicant shall be making a representation to respondent No. 2 within a period of twenty days from today.

4. Accordingly, we dispose of this application finally with the observation that in case the applicant makes a representation within twenty days from today before respondent No.2, then respondent NO. 2 shall pass a speaking and reasoned order after hearing the ~~effective~~ ^{affected} persons, within a period of three months from the date of receipt of a copy of this order. The orders passed on the representation of the applicant shall be communicated to him by registered post within a period of fifteen days from the date of decision on the representation.




(A.P. NAGRATH)
Adm. Member


(JUSTICE O.P. GARG)
Vice Chairman

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Joan
18/1/2002

Rec'd on
18/1/02

Part II and III destroyed
in my presence on 20-6-02
under the supervision of
section officer () as per
order dated 14-5-02

Section Officer (Record)

