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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR

O.A. No. : 143/1998

Date of Order : 2.6.1998

Anil Kumar Chopra, Assistant Security Officer in the office of Rajasthan Atomic Power Station, Rawatbhata via Kota Distt. Chittorgarh
Applicant.

Versus

- (1) Union of India through its Secretary to G/I, Department of Atomic Energy, S.M. Marg, Bombay-39.
- (2) The Director(Personnel), Nuclear Power Corpn., (A Govt. of India Enterprises), Post Anushakti Nagar, V.S.B., Mumbai.
- (3) The Security Officer, Rajasthan Atomic Power Station (Unit I&II) PO Anushakti via Kota (Rajasthan).
- (4) The Deputy General Manager (HRD) Belapur Bhavan, 4th floor, Plot No. 6, Sector 11, Belapur CBD, NAVI MUMBAI - 400 614.
- (5) Shri S.K. Dubey, Assistant Manager (Security), Tarapur Atomic Power Project (3rd & 4th unit) Maharashtra State.

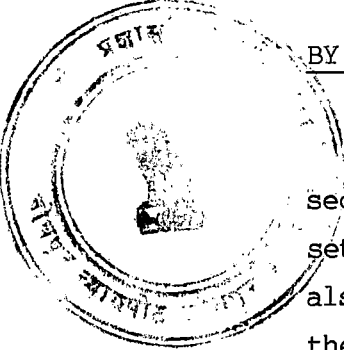
Respondents.

Mr. R.S. Saluja and Miss Kusum Rao, Counsel for the applicant.

CORAM :

Hon'ble Mr. Gopal Singh, Administrative Member.

BY THE COURT :



Applicant, Anil Kumar Chopra, has filed this application under section 19 of the Administrative Tribunals Act, 1985 praying for setting aside the impugned order dated 30.4.1998 at Annexure A/1 and also for issuing direction to the respondents to consider his case for the post of Assistant Manager (security) in place of respondent No. 5.

2. The case of the applicant is that he is senior to respondent No. 5 and rules for promotion to the post of Assistant Manager (Security) provides for promotion on the basis of seniority subject to fitness. It is averred by the applicant that respondent No. 5 has been promoted over the applicant who is senior to him and thus, the rules in this regard have not been followed by the respondents.

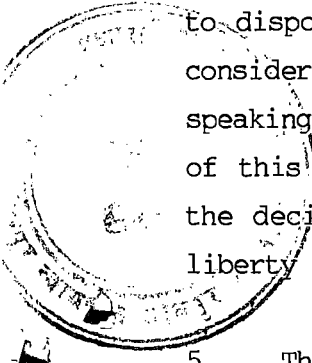

3. During the hearing, it has been brought to my notice that the

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applicant has submitted his representation in this regard dated 7.5.1998 (Annexure A/7). I have heard the learned counsel for the applicant and perused the records of the case.

4. In the circumstances of the case, I consider it just and proper to dispose of this application by a direction to respondent NO. 2 to consider the representation of the applicant dated 07.5.1998 by a speaking order within a period of three months from the date of issue of this order, as per rules. In case the applicant is aggrieved of the decision taken by the respondents in this regard, he will be at liberty to approach this court again.

5. The OA is disposed of accordingly with no order as to costs.



(GOPAL SINGH)
MEMBER (A)

SM