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**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH**

**O.A. 162 of 2006
Jodhpur, this the 23RD Day of October, 2009.**

.....
CORAM :

**Hon'ble Dr. K.B.Suresh, Member (J)
Hon'ble Mr. V.K. Kapoor, Member (A)**

.....

Alwin E. Sher S/o Shri Emmanuel Sher aged 48 years, resident of Near Mission Pry School, Jammu Basti, Abhor, District Ferozpur, Punjab. Official address : Alwin E. Sher, Electrician HS-I, C/o Garrison Engineer, MES Office, Abhor Cantt.

[By Advocate : Mr. P. Choudhary]

.....Applicants.

-Versus-

- 1-. Union of India through the Defence Secretary, Ministry of Defence, Raksha Bhawan, Government of India, New Delhi.
- 2-. The Commander Works Engineer (Project), Army, MES, Sri - Gangangar.
- 3-. The Garrison Engineer, MES Office, Abhor Cantt. Punjab.

.....Respondents.

(By Advocate :Mr. Kuldeep Mathur)

**ORDER (ORAL)
{PER DR. K.B. SURESH]**

The applicant complains that he was not granted promotional avenues which his senior in the list Sh. Sita Ram could obtain. During the course of discussions at Bar, it was obtained that both persons were to take a Trade Test for promotion to the post of H.S. Gr. I as per the Circular issued by the respondents in the year 1996 vide Annex. A/1; which because of the fact that since the applicant and the said Sh. Sita Ram could not be informed about holding of the same, they could not attend. The said Sh. Sita Ram, as a vigilant employee complained against this and was thereupon called for fresh Trade Test which was held on 03.4.1996 and apparently, the said Shri Sita Ram

W. B.

passed the test and became eligible for promotion to the next grade. The applicant would contend that upon coming to know of this in April 1996, he preferred a representation but, still then, he was called for the Trade Test only on 25.11.1997, wherein, he was apparently declared passed vide Annex. A/7 dated 31st March, 1998. The applicant's grievance is that he must now be treated at par with the said Sita Ram, whom he alleges to be at Sl. no. 5 of the list while he was at Sl. No. 7 of the same Seniority List.

The vigilance of Sh. Sita Ram may have helped him in obtaining timely a promotional post; on the same token, the applicant because of his own lack of vigilance fails and, therefore, we find no merit in this application which is hereby dismissed with no order as to costs.



(V.K.Kapoor)
(V.K.Kapoor)
Member(A)

(Dr.K.B.Suresh)
(Dr.K.B.Suresh)
Member(J)

jrm

copy
Dif 29/10/09
For Kuldeep Mather

2011/06
R.S. Sehgal
Am

Part II and III destroyed
in my presence on 07/07/15
under the supervision of
Section Officer () as per
order dated 07/07/15

Section Officer (Record)