

ILS

**CENTRAL ADMINISTRATIVE TRIBUNAL  
JODHPUR BENCH; JODHPUR**

**Original Application Nos.144/2007**

**Date of decision: 13.07.2007**

**Hon'ble Mr. Kuldip Singh, Vice Chairman,**

**Hon'ble Mr. Tarsem Lal, Administrative Member.**

Purkha Ram, S/o Shri Gorkha Ram, aged 57 years, r/o paharganj II Nayapura Road, Jodhpur, presently working at LWO, Jodhpur as SSA Gr. III

: Applicant.

Rep. By Mr. Rajesh Shah : Counsel for the applicant.

1. The Union of India through the Secretary, Ministry of Agriculture (Department of Agriculture and Cooperation), Krishi Bhawan, New Delhi.
2. The Plant Protection Advisor to the Government of India, Directorate of Plant Protection, Quarantine and Storage, National High Way IV, Faridabad, Haryana.
3. The Chief Administrative Officer, Directorate of Plant Protection, Quarantine and Storage, National High Way IV, Faridabad, Haryana.
4. Shri Bijendra Singh, presently promoted as Assistant Plant Protection Officer, C/o Directorate of Plant Protection, Quarantine and Storage, National Highway IV, Faridabad Haryana.
5. Shri Choth Mal Meena, presently promoted as Assistant Plant Protection Officer, C/o Directorate of Plant Protection, Quarantine and Storage, National High Way IV, Faridabad, Haryana.

: Respondents.

**ORDER**

**Per Mr. Kuldip Singh, Vice Chairman.**

The applicant has filed this O.A seeking the following reliefs:

" (i) by an appropriate order or direction, the record of the case may kindly be called and the impugned order dated 16.06.2007(Annex. A/1) so far as it promoted to the respondents 4 & 5 may kindly be declared illegal and be quashed.

(ii) by an appropriate order or direction the respondents may kindly be directed to grant the promotion to the applicant expeditiously on the post of APPO from the date on which his juniors (respondents 4 and 5) had promoted with all consequential benefits.

(iii) Any other appropriate order or direction which may be considered to be just and proper may be granted in favour of the applicant.



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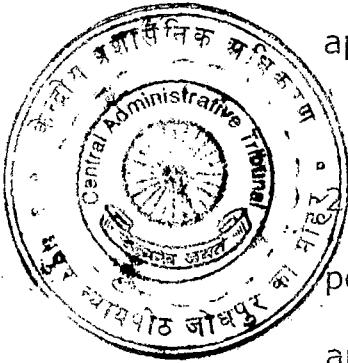
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(iv) Cost of the application may be awarded to the applicant.

The facts in brief are as follows:

The applicant belongs to ST community. He was initially appointed as JTA on 10.01.1973 and presently he is working as SSA III under the official respondents since February 1986. A provisional seniority list of SSA III was published on 20.09.2006.

After making corrections a final seniority list of SSA III was published on 28.09.2006, in which the applicant's name figure at Sl.No. 68, whereas respondents 4 & 5 who also belong to ST community figure at Sl. No. 82 & 83. An office order dated 16.06.2007 promoting 15 SSA III as Assistant Plant Protection Officer (APPO for short) was published. In that list the private respondents, though they were junior to the applicant, were promoted and placed at Sl. Nos. 14 and 15. After receipt of the said order, the applicant preferred a representation to the respondent on 22.06.2007, asking for the reasons as to why he has been left out and his juniors were promoted ignoring his claim. Till date he has not received any reply. Hence he preferred this



We have heard the learned counsel for the applicant and perused the pleadings. We are of the view that the applicant has approached this Tribunal in haste and should have waited for the disposal of his representation or at least he should have waited for six months from the date of his representation. However, we propose to dispose of this O.A by giving direction to the respondents to dispose of his representation dated 22.06.2007

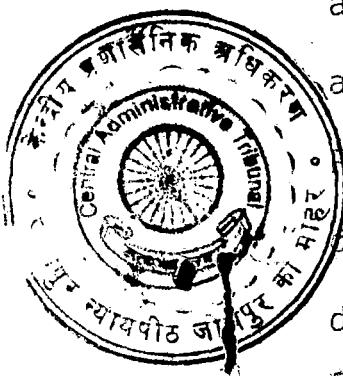
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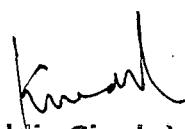
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within prescribed period. Accordingly, the second respondent is directed to dispose of the representation dated 22.06.2007, submitted by the applicant, within a period of two months from the date of receipt of a copy of this order, by a speaking order. If any adverse order against the interest of the applicant is passed, he is at liberty to approach this Tribunal for challenging the same.

• Registry is directed to send a copy of this order along with a copy of the O.A. to the 2<sup>nd</sup> respondent for necessary action. O.A is disposed of as above.



Karsem Lal  
( Tarsem Lal )  
Administrative Member

  
( Kuldip Singh )  
Vice Chairman.

Jsv

Received copy  
6/8/07 *Om Prakash*  
*(Sunit Samadhi Adm)*

MO 1536152  
Dt: 09.8.7

Part II and III destroyed  
in my presence on 24-6-14  
under the supervision of  
section officer ( ) as per  
order dated 26.5.14

*Signature*  
Section officer (Record)