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## **CENTRAL ADMINISTRATIVE TRIBUNAL JODHPUR BENCH**

### **ORIGINAL APPLICATION No.103/2010**

Date of Decision: 09.02.2011

**HON'BLE Mr. JUSTICE S.M.M. ALAM, JUDICIAL MEMBER  
HON'BLE Mr. SUDHIR KUMAR, ADMINISTRATIVE MEMBER**

S.L. Dhabhai S/o Shri R.L. Dhabhai, aged about 53 years, R/o 32, Ummed Club Road, Jodhpur. Presently working as Scientist-C (Jr. Geophysist), Central Ground Water Board, State Unit Office, 64 Polo-Ist, Paota, Jodhpur.

**.... Applicant**

For Applicant : Mr. S.K. Malik, Advocate.

### **VERSUS**

1. Union of India through the Secretary, Government of India, Ministry of Water Resources, Shram Shakti Bhawan, New Delhi.
2. The Chairman, Ministry of Water Resources, Government of India, Central Ground Water Board, Bhujal Bhawan, NH-IV, Faridabad (Haryana).
3. The Director (Admn.)/Sr. Administrative Officer, Government of India, Ministry of Water Resources, Central Ground Water Board, Bhujal Bhawan, NH-IV, Faridabad (Haryana).

**.... Respondents.**

For Respondents: Mr. M. Godara, proxy counsel for  
Mr. Vinit Mathur, Advocate.

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### **ORDER (ORAL) (Per Mr. Justice S.M.M. Alam, JM)**

Applicant S.L. Dhabhai presently working as Scientist-C (Jr. Geophysist), Central Ground Water Board, State Unit Office, Jodhpur has preferred this O.A. for grant of following reliefs:-

"(a)By an appropriate order, writ or direction, the impugned orders dated 13.04.2010 Annexure-A/1 be declared illegal to the extent for not calling the applicant for interview/personal talk to be held w.e.f. 16.04.2010 to 20.04.2010 for promotion to the post of Scientist 'B' under F.C.S. Scheme.

(b) By an appropriate order or direction the respondents may be directed to call the applicant for interview/personal talk before the Board of Assessment for the promotion to the post of Scientist-B under F.C.S. Scheme. In pursuance of impugned order Annex.1 dated 13.04.2010 to be held w.e.f. 16.04.2010 to 20.04.2010 and promote the applicant to the post of Scientist-B with all consequential benefits.

(c) Any other relief, which is found just and proper, may be passed in favour of the applicant in the interest of justice by the Hon'ble Tribunal."

2. It has been submitted by the learned advocate of the applicant that this O.A. is fully covered by the two orders both dated 24.12.2010, passed in OA No.205/2010 as well as in OA No.206/2010 by Central Administrative Tribunal, Jaipur Bench. The learned advocate for the applicant further submitted that similar controversies are involved in this O.A. as such without making any detailed discussion on the merit of the case this O.A. can be disposed by issuing similar direction/order. The learned advocate appearing for the respondents also concedes that this O.A. can be disposed of in the light of order passed in O.A No.205 and 206/2010 by Central Administrative Tribunal, Jaipur Bench.

3. Perused both the orders, which appear to be passed on the basis of the order passed by the Andhra Pardesh High Court in writ petition No.22349/1999 and in writ petition No.24398/2010 in the case of **M. Ramakrishna Reddy and others vs. Government of India, Ministry of Water Resources, New Delhi and others.** The concluding portion of both the orders runs as follows:-

"In view of the judgment rendered by the Hon'ble Andhra Pradesh High Court in Writ Petition No.24398/2010 in case of M. Ramakrishna

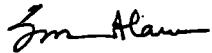
Reddy & others vs. Government of India, Ministry of Water Resources, New Delhi & others, this OA is also disposed in the aforesaid terms and the respondents are directed to proceed in the matter in accordance with the order dated 10.09.2008 rendered in Writ Petition No.22349/1999."

4. Since both the learned advocates submit that this OA is also covered under the said two orders as such we are of the view that similar order can be passed in this OA also. Accordingly, it is ordered that this O.A. is disposed of in terms of order dated 24.12.2010 passed by Central Administrative Tribunal, Jaipur Bench in O.A. No.205/2010 and O.A. No.206/2010 and following order is being passed:-

"In view of the judgment rendered by the Hon'ble Andhra Pradesh High Court in Writ Petition No.24398/2010 in case of M. Ramakrishna Reddy & others vs. Government of India, Ministry of Water Resources, New Delhi & others, this OA is also disposed in the aforesaid terms and the respondents are directed to proceed in the matter in accordance with the order dated 10.09.2008 rendered in Writ Petition No.22349/1999."

5. Accordingly, O.A. is disposed of with no order as to costs.

  
**[Sudhir Kumar]**  
**Administrative Member**

  
**[Justice S.M.M. Alam]**  
**Judicial Member**

दिनांक 21/11/16 के आदेशानुसार  
मेरी उपस्थिति में दिनांक 9/6/16  
को छम्म-II से III चंट किए गए।

अनुभाग अधिकारी  
स्कॉल्ट्रीय प्रशासनिक अधिकारण  
बोधपुर न्यायपीठ, जोधपुर