

1/8

CENTRAL ADMINISTRATIVE TRIBUNAL  
JODHPUR BENCH, JODHPUR

Original Application No.72/Jodhpur/2012.

Date of decision: 25.10.2012

CORAM :

**HON'BLE MR. JUSTICE K.S. RATHORE, JUDICIAL MEMBER.**  
**HON'BLE MR. B.K.SINHA, ADMINISTRATIVE MEMBER.**

Applicant

[By Mr. S.S.Vyas, Advocate]

Hadmana Ram S/o Shri Pemaram aged 42 years, by caste Bheel, Resident of Sodon Ki Dhani, Nadra Khurd, Tehsil and District Jodhpur at present working as Chowkidar in the office of Deputy Director (KV), Jodhpur.

Applicant

**Versus**

- 1- Union of India through the Secretary, Ministry of Agriculture, Department of Agriculture & Cooperation, New Delhi.
- 2- Chief Administrative Officer, Directorate of Plant Protection, Quarantine & Storage, N.H. 4, Faridabad (Haryana).
- 3- Plant Protection Advisor, Government of India, Directorate of Plant Protection, Quarantine & Storage, N.H. 4, Faridabad (Haryana).
- 4- Deputy Director (K.V.), Locust Warning Organization, Opposite Sati Mata Ka Than, Air Force Road, Jodhpur.
5. Bhawani Charan, Technical Officer-I, Office of R.P.Q.S. Amritsar (Punjab).

Respondents

[By Mr.Kuldeep Mathur, Advocate]

**ORDER (ORAL)**

**PER JUSTICE K.S.RATHORE :**

By way of the present Original Application, the applicant claims for the following reliefs :-

- I- "That the impugned Office Order No. 258 of 2011 dated 30.11.2011 Annex.A-1 issued by the Chief Administrative Officer, Directorate of Plant Protection, Quarantine & Storage, Faridabad to**



*the extent it relates to non-applicant No. 5 may kindly be set aside.*

**II** *By an appropriate order the non-applicants may kindly be directed to consider the candidature of the applicant and accordingly provide promotion to him on the post of Technical Officer-I from the date persons similarly situated have been promoted on the said post.*

**III-** *By an appropriate order the non-applicants may further kindly be directed to grant all other consequential benefits to the applicant as per rules.*

**IV-** *Any other appropriate order, as may be deemed just and proper in the facts and circumstances of the case, may kindly be passed in favour of applicant.*

**V-** *Costs of the proceedings may also kindly be awarded in favour of the applicant."*

2. The learned counsel appearing for the official respondents have submitted as also admitted that the concerned administration section dealing with establishment matters of the feeder grade officials has informed that some of the officials whose names figured in the final seniority list of 30.05.2007 had represented by producing documentary evidences in support of their educational qualifications at matriculation level with science as a subject. After due verification of records submitted by these officials some more officials including the applicant have been found of possessing the educational qualification with Science as a subject. Having regard the fresh inputs received now, a Review DPC is proposed to be convened to consider cases of all eligible officials included in the final seniority list of 30.05.2007 for filling-up the vacancies in the grade of T.O.-I pertaining to the vacancies of 2009-2010, 2010-11 and the subsequent vacancies falling under promotion quota as a result of promotion of 39 officials from T.O.-I grade to S.A.-I during 2011-12.

*12*

As the case of the applicant will also be considered along with other eligible officials, the present O.A. has become infructuous and, therefore, deserves to be dismissed.

3. Since the respondents are agreeing to consider the case of the applicant by holding a Review D.P.C. and considering the claim of the applicant by including his name in the final seniority list of 30<sup>th</sup> May, 2007 for filling the vacancies in the grade of TO-I pertaining to the vacancies of the years 2009-10, 2010-11 and the subsequent vacancies falling under promotion quota as a result of promotion of 39 officials from TO-I grade to SA-I during 2011-12, therefore, apparently, the reliefs sought for by the applicant in this Application will be satisfied soon.

4. In view of the submission made by the learned counsel for the respondents as above, the present O.A. has become infructuous and is therefore, disposed of accordingly. However, it is made clear that within a reasonable time, the respondents shall hold a Review D.P.C. so as to consider the case of the applicant as per the observations made hereinabove. The O.A. is disposed of accordingly without any order as to costs.

  
[B.K. SINHA]  
Administrative Member

  
[JUSTICE K.S. RATHORE]  
Judicial Member