

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

OA 961 of 1997

Present : Hon'ble Mr. S. Biswas, Administrative Member
Hon'ble Mr. A. Sathath Khan, Judicial Member

Kumud Ch. Kundu & Anr.

- VS -

M/a Defence

For the Applicants : Mr. S.N. Roy, Counsel

For the Respondents : Mr. M.S. Banerjee, Counsel

Date of Order : 26-02-2003

ORDER

MR. A. SATHATH KHAN, JM

Heard Ld. Counsel for both the parties.

2. The grievance of the applicants is that they should be promoted to the post of Refrigerator Mechanic HS Grade-I w.e.f. 15-10-1985 as they have already passed the trade test. The Ld. Counsel for the applicant submitted that the respondents, instead of promoting the applicants who have passed the trade test, promoted private respondent Nos. 8 & 9 ignoring their case. In this connection, the Ld. Counsel for the applicants relied upon the letter dated 7-2-1995 in which the Chief Engineer(AF) has sought advice ^{of the Headquarters} as to whether a rev-iew DPC is required to be ordered to ascertain suitability of the applicants for their promotion to Senior Mech. Refrigerator HS-I w.e.f. 15-10-1984 with or without financial benefit. The Ld. Counsel for the respondents submitted that the applicants have been promoted as Refrigerator Mechanic HS Grade-I w.e.f. 3-4-1998 with retrospective seniority w.e.f. 30-3-1995. However,

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the Ld. Counsel for the applicants submitted that the applicants are entitled to the said promotion w.e.f. 15-10-1985.

3. After taking into consideration the facts and circumstances of the case and the fact that the private respondent Nos. 1 & 2, who had not passed the trade test, were promoted w.e.f. 15-10-1985, we are of the view that the applicants deserve to be considered for promotion to the post of Refrigerator Mechanic HS Grade-I w.e.f. 15-10-1985. Accordingly, the respondents are directed to hold a DPC for considering the case of the applicants for promotion to the post of Refrigerator Mechanic HS Grade-I w.e.f. 15-10-1985 within a period of three months from the date of receipt of a copy of this order. Accordingly, the OA is dismissed. No costs.



Member(J)



Member(A)

DKN