

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

DA No.217/98

Wednesday, the 11th day of February, 1998.

CORAM

HON'BLE MR A.V. HARIDASAN, VICE CHAIRMAN
HON'BLE MR S.K. GHOSAL, ADMINISTRATIVE MEMBER

P. Hareendranathan
S/o Late N. Parameswara Panicker
Assistant Station Engineer,
All India Radio
Alappuzha
R/o 'Sopanam, Pazhaveedu P.O.
Alappuzha.

...Applicant.

(By advocate: Mr P. Ramakrishnan)

Versus

1. Union of India represented by
Secretary to the Ministry of
Information & Broadcasting
Shastri Bhavan
New Delhi.
2. The Director General of All India Radio
Akashvani Bhawan
Parliament Street
New Delhi.

...Respondents.

(By advocate: Mr Sunil Jose)

The application having been heard on 11.2.98, the
Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR A.V. HARIDASAN, VICE CHAIRMAN

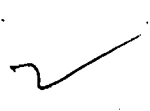
Applicant who was an Assistant Engineer was placed in the panel for promotion for the panel year 1991-92 and was actually promoted by order dated 25.10.96 (Annexure A-1) as Assistant Station Engineer, stating that the promotion would take effect from the date of assumption of the charge of his post. His grievance is that when vacancy was available to appoint him as Assistant Station Engineer on promotion in the panel year itself, the respondents had passed the order that his promotion

would take effect from the date of his posting only, depriving him the benefit of notional promotion and fixation of pay with effect from the due date.

Aggrieved by this, the applicant made a representation on 11.3.97 (Annexure A-3) to the first respondent and followed it up with another representation dated 2.7.97 (Annexure A-4), but he has not been favoured with any reply. Under these circumstances, the applicant has filed this application for a direction to the respondents to grant him notional promotion with effect from the panel year in which he has been placed pursuant to Annexure A-1, with all consequential benefits and for a declaration that he is entitled to notional promotion with effect from the panel year.

2. When the application came up for hearing today, learned counsel for the applicant states that the applicant would be satisfied if the first respondent is directed to consider the applicant's request at Annexure A-3 and give him a speaking order within a reasonable time. The learned counsel for the respondents also agrees that the application can be disposed off with appropriate direction to the first respondent to consider the representation of the applicant and dispose it off within a time frame stipulated by the Tribunal.

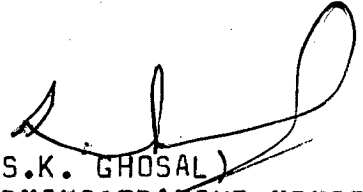
3. In view of what is stated by the learned counsel on either side, the application is disposed off directing the first respondent to consider the representation submitted by the applicant (Annexure A-3) in the light of rules



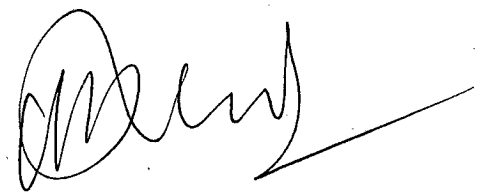
and instructions on the subject and give the applicant
a speaking order within a period of two months from the
date of receipt of a copy of this order.

No orders as to costs.

Dated 11th February, 1998.



(S.K. GHOSAL)
ADMINISTRATIVE MEMBER



(A.V. HARIDASAN)
VICE CHAIRMAN

aa.

LIST OF ANNEXURES

1. Annexure A1: Order dated 25.10.1996 issued by 1st respondent.
2. Annexure A3: Representation dated 11.3.97 filed by applicant before respondent No.2.
3. Annexure A4: Reminder dated 22.7.1997 filed by applicant before Respondent No.2.

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