

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O. A. No. 223/91
~~XXXXXX~~

~~199~~

DATE OF DECISION 15-3-1991

S Jayapalan Applicant (s)

Mr. MR Rajendran Nair Advocate for the Applicant (s)

Versus

Union of India rep. by Secretary
~~to the Govt. of India, Ministry~~ Respondent (s)
of Finance, New Delhi & others.

Mr Mathes J Nedumpara, ACGSC Advocate for the Respondent (s)

CORAM:

The Hon'ble Mr. NV Krishnan, Administrative Member

The Hon'ble Mr. AV Haridasan, Judicial Member

1. Whether Reporters of local papers may be allowed to see the Judgement? ✓
2. To be referred to the Reporter or not? ✓
3. Whether their Lordships wish to see the fair copy of the Judgement? ✓
4. To be circulated to all Benches of the Tribunal? ✓

JUDGEMENT

Shri NV Krishnan, Administrative Member

The applicant ~~XXXX~~ was originally promoted as Superintendent, Central Excise, Group-B, on 6.5.82 (Annexure-I). In pursuance of the order dated 5.6.87 in TA 87/87, a direction was given that he should be deemed to have been promoted from 28.8.80. Accordingly, the respondents gave effect to this order by including him in the Annexure-I Seniority List and assigning him his due place on the basis of this deemed date of promotion.

2 The applicant submits that his immediate junior, KJ George also working as a Superintendent of Central Excise from 28.8.80 has now been promoted on 17.1.90 to the post of Superintendent, Central Excise, Group-A. He submits that while doing so, it would appear that the respondents have not considered that he is senior to

re case

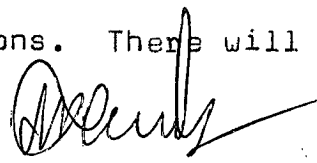
He has made the Annexure-II representation

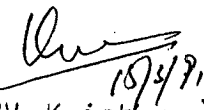
KJ George and his/has also been considered simultaneously.

2 In the light of these facts, we had directed the learned counsel for the respondents to seek information from the respondents about the allegations made. To-day when the case came up for hearing, the learned counsel for the respondents submitted that such a representation i.e., Annexure-II, made by the applicant in this connection has been received and is under consideration. As we are of the view that it would be possible to dispose of this application finally without waiting for any other reply from the respondents, by the issue of suitable ^{have} directions, we ~~are~~ taken up this case for orders to-day.

3 In the circumstance, we direct the Respondent-2 to dispose of the Annexure-II representation submitted by the applicant for giving him promotion alongwith his juniors to Group-A grade within a period of one month from the date of issue of this order and, in case the order is in the applicant's favour, the Respondent-2 is also directed to grant him all the consequential benefits, as admissible under the rules.

4 The application is disposed of with the aforesaid directions. There will be no order as to costs.


(AV Haridasan)
Judicial Member


(NV Krishnan)
Administrative Member

15-3-1991