

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O. A. No. 324/92
~~XXXXXX~~

199

DATE OF DECISION 7-10-1992

M Rajan Applicant (s)

Mr MR Rajendran Nair Advocate for the Applicant (s)

Union of India ^{Versus} rep. by the
Secretary to Govt. of India,
Ministry of Communications,
New Delhi and others. Respondent (s)

Mrs KB Subhagamani, ACGSC Advocate for the Respondent (s)

CORAM :

The Hon'ble Mr. **PS Habeeb Mohamed, Administrative Member**
and

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

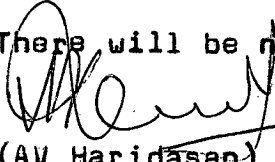
Shri AV Haridasan, J.M

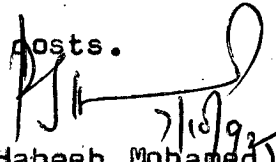
The grievance of the applicant, who is a member of the Scheduled Caste Community is that the respondents overlooking the fact that he belongs to SC community, failed to consider him for promotion to TTS Group B, while his juniors belonging to other communities got promoted and superseded him in the years 1984 and 1986. Since the applicant's representation did not yield result, he has filed this application praying that the respondents may be directed to consider him for promotion to the TTS Group B in the year 1984 and to grant him consequential benefits.

2 Though in the reply statement filed by the respondents it has been inter-alia contended that the application is barred by limitation, the respondents themselves have admitted that on account of a mistake in noting the community of the applicant in the seniority list at Annexure-I at the time when the DPC was held, his case happened to be overlooked and that in fairness the Department has now decided ~~to the extent~~ to convene a Review DPC of 1984- 86. It has also been undertaken in the reply statement that the result of the Review DPC would be communicated to the applicant shortly. In view of this admission by the respondents in the reply statement, the controversy has narrowed down considerably and what is required is only to issue a direction to the respondents to fulfil the undertaking given by them within a stipulated time.

3 In the result, we dispose of this application with direction to the respondents to complete the Review DPC proceedings and intimate the result thereof to the applicant and to grant him consequential benefits, if any, within a period of three months from the date of communication of this order.

4 There will be no order as to costs.


(AV Haridasan)
Judicial Member


(PS Habeeb Mohamed)
Administrative Member

7-10-92