

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

Original Application No. 370 of 2009

Tuesday, this the 11th day of August, 2009

CORAM:

Hon'ble Dr. K.B.S. Rajan, Judicial Member

Hon'ble Mr. K. George Joseph, Administrative Member

M.T. Joseph, Junior Design Officer (Construction),
 Civilian Establishment Officer, Naval Ship Repair
 Yard, Naval Base, Kochi-4.

Applicant

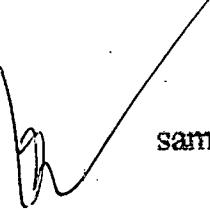
(By Advocate – Mr. S. Radhakrishnan)

V e r s u s

1. The Chief of Naval Staff, Directorate of Civil Personnel, Integrated Headquarters of Ministry of Defense, D' Wing, Sena Bhavan, New Delhi – 110011.
2. The Flag Officer Commanding in Chief, Headquarters, Southern Naval Command, Kochi-4.
3. The Chief Staff Officer (P&A), Headquarters, Southern Naval Command, Kochi-4.
4. Director, Civilian Personnel (G), Directorate of Civilian Personnel, Room No. 101, D-II Wing, Sena Bahavan, New Delhi 110011.
5. Mr. C.I. Chacko, Junior Design Officer (Construction), Warship Overseeing Team (WOT), C/o. Cochin Ship Yard Ltd., Perumanoor, Kochi-15.

Respondents

(By Advocate – Mr. TPM Ibrahim Khan, SCGSC)


 The application having been heard on 11.8.2009, the Tribunal on the same day delivered the following:

ORDER

By Hon'ble Dr. K.B.S. Rajan, Judicial Member -

The grievance of the applicant is that while considering the promotion for the post of Senior Design Officer Grade-II (Construction), respondents had passed the promotion orders vide Annexures A-1 & A-3 particulars, whereas the seniority should be on the basis of Annexure A-4. When initially the same was considered by this Tribunal and an interim order was passed staying the operation of Annexure A-1 promotion order, the respondents have very fairly stated that the promotion granted to the private respondent No. 5 Shri C.I. Chacko, JDO (Construction) has been withheld and proposal for a review DPC for the year 2008-09 for promotion to the post of SDO-II (Construction) is under process with Ministry of Defence and UPSC, wherein the applicant's case for promotion would be considered. Annexure R-2 dated 24th June, 2009 refers.

2. Learned counsel for the applicant submits that the grievance of the applicant could be completely redressed if in the event of the applicant being found suitable for the post of SDO-II (Construction) he is granted the promotion from the date at par with the other candidates in Annexure A-1 subject to availability of vacancy. The counsel for the respondents submits that the UPSC and the Ministry of Defence will be considering these aspects as well. Counsel for the applicant also pressed that a time limit be calendered for holding a review DPC. Since decision to hold review DPC has taken place as early as on June, 2009, we are of the considered view that

priority will be granted and the review DPC will be conducted expeditiously. It is felt that a period of three months will be sufficient enough for holding the DPC and implement the aforesaid order.

3. With the above observations the OA is disposed of. No costs.



(K. GEORGE JOSEPH)
ADMINISTRATIVE MEMBER

(K.B.S. RAJAN)
JUDICIAL MEMBER

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