

Central Administrative Tribunal Lucknow Bench Lucknow

Original Application No. 190 /2003

This, the 10th day of January 2008

Hon'ble Mr. Shankar Raju, Member (J)

Hon'ble Mr. J.P. Shukla, Member (A)

D.K. Pant, aged about 54 years son of Sri A.D. Pant, resident of B-150/3, Manak Nagar, Lucknow.

Applicant.

By Advocate: None

Versus

1. Union of India, through General Manager, N.E. Railway Gorakhpur.
2. Divisional Railway Manager, N.E. Railway Ashok Marg Lucknow.

Respondents.

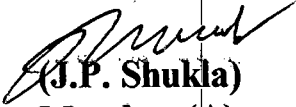
By Advocate: Shri N.K. Agarwal.

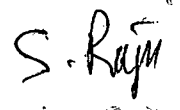
Order (Oral)

By Hon'ble Mr. Shankar Raju, Member (J)

ACP as per the scheme contained in paragraph 6 as a condition precedent subjects the financial upgradation to the same norms of promotion including departmental examination. It is not to be construed that every time ACP entitlement is made the earlier examination qualified by a person has to be ignored. What is paramount is that one should have met out condition precedent and eligibility for promotion as a normal promotion norms before he could be assigned financial upgradation. Admittedly, in 1997, applicant has qualified the examination for the post of CRA but failed to under go medical examination for category B-1. In this view of the matter, after hearing the learned counsel of respondents, we dispose of this O.A. with a direction to the respondents that in the event, the applicant is subjected to medical examination and attains the category B-1 as his medical fitness, his claim for second

financial upgradation from 29.5.1991 be considered along with arrears within a period of three months from the date of receipt of copy of this order. No costs.


(J.P. Shukla)
Member (A)


(Shankar Raju)
Member (J)

HLS/