

Central Administrative Tribunal, Lucknow Bench, Lucknow

Original Application No. 375/2011

This the 29th day of September, 2011

Hon'ble Sri Justice Alok Kumar Singh, Member (J)
Hon'ble Sri S.P.Singh, Member (A)

Ganga Din Yadav aged about 52 years son of late Kalu Ram Yadav, resident of B-7, CSIR Colony, Nirala Nagar, Lucknow, presently posted as Assistant (General) Grade II, Central Drug Research Institute, Chattar Manzil, Lucknow

Applicant

By Advocate: Sri Raj Singh

Versus

1. Council of Scientific and Industrial Research, Anusandhan Bhawan, 2 Rafi Marg, New Delhi through Director General.
2. The Director, Central Drug Research Institute, Chattar Manzil, Lucknow.
3. Shri Jawed Saeed khan, Assistant (General) Grade I, Establishment Section II, Central Drug Research Institute, Chattar Manzil, Lucknow.

Opposite Parties

By Advocate: Sri Pankaj Awasthi Sri A.K. Chaturvedi

ORDER (Dictated in Open Court)

BY HON'BLE SHRI JUSTICE ALOK KUMAR SINGH, MEMBER (J)

M.P. No. 2518/2011: This is an application for disposal of O.A. along with objections on behalf of respondents No. 1 and 2.

2. Heard the learned counsel for parties and perused the material on record.

3. This O.A. has been filed for the following reliefs:-

i) This Hon'ble Tribunal may kindly be pleased to quash the impugned order dated 10.5.2011 to the extent it has been issued that the respondent No.3 shall be adjusted on the post of Assistant (G) Grade I, under (DPC-UR) quota (contained in Annexure No.A-1 to this O.A.

ii) To direct the respondents to consider the applicant for promotion to the post of Assistant (G) Grade I under (DPC-UR) quota on occurrence of vacancy i.e. on or after 1.10.2011.

iii) To pass such other orders which are found just fit and proper under the circumstances of the case.

iv) To allow the original application with cost.

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4. As far as the first relief is concerned, the competent authority i.e. CSIR Headquarter, New Delhi has itself redressed the grievance by taking a decision on 23.9.2011 in reference to the office Memo dated 10.5.2011 (Annexure No. A-1), for which relief No. 8(i) was sought. This decision is to the effect that for the time being, Sri Jawed Saeed Khan, Asstt. (G) Gr. I respondent No 3's posting in CDRI may be shown against a vacant post of Asstt. (G) Grade I under Direct Recruitment Quota. The copy of this letter has also been annexed as Annexure No. O-1 to this objection.

5. Concededly, after the aforesaid decision dated 23.9.2011, the grievance in respect of relief 8(i) stands redressed.

6. As far as relief No. 8(ii) is concerned, the learned counsel for applicant submits that in para 3 of this objection, it is mentioned that necessary action shall be taken by the respondent No.2 keeping in view the respondent No.1's aforesaid letter dated 23.9.2011 within a period of two months. He therefore, hopes that this grievance would also be redressed in accordance with law. Therefore, he fairly concedes that this O.A. may be finally disposed of with the aforesaid observation at this stage. It goes without saying that if the aforesaid second relief as contained in relief No.8(ii) is not redressed, then he may come before this Tribunal in accordance with law.

7. Accordingly, this O.A. is finally disposed of. No order as to costs.

S.P.S 29.9.11
(S.P. Singh)
Member (A)

Alok Kumar Singh
(Justice Alok Kumar Singh)
Member (J) 29.9.11

HLS/-