

(N8) (40)

CENTRAL ADMINISTRATIVE TRIBUNAL, LUCKNOW BENCH

LUCKNOW

J.A. No. 215/1991

Ganga Ram

Applicant.

versus

Union of India & others

Respondents.

Hon. Mr. Justice U.C. Srivastava, V.C.
Hon. Mr. A.B. Gorthi, Asm. Member.

(Hon. Mr. Justice U.C. Srivastava, V.C.)

Admit.

The applicant was in Telecommunication Department and is working in the department since 1981. According to the applicant his conduct has been very good and his work has also been appreciated by the respondents. The interview for the post of Lorry Driver was to be held for which a Departmental Promotion Committee was formed. The interview took place on 19.4.91 in which the applicant also appeared. The persons junior to the applicant, who were at serial Nos. 2 and 3 were regularised. Feeling aggrieved, the applicant approached this Tribunal.

2. In the counter, the respondents have stated that the D.P.C. was formed and the selection for the post of Driver was made as provided in recruitment rules. The applicant was also considered for the post of Driver alongwith other candidates but was not found fit by the D.P.C. and that is why he was not promoted.

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No allegations have been made against the members of D.P.C. in selecting other persons. It is not obligatory on the D.P.C. that particular person was selected and the other was not selected. It was on the basis of assessment made. However, it appears that in fact, the case of the applicant was for regularisation and not for selection. The D.P.C. was to consider the case of regularisation. Accordingly the applicant is entitled to this relief. The respondents are directed to consider the case of the applicant for future promotional post or for regularisation on the post on which the applicant is working for the last 10 years. But for the above direction, the application is otherwise dismissed. No order as to costs.


Adm. Member.


Vice Chairman.

Shakeel/

Lucknow:Dated: 16.4.92.