

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, LUCKNOW BENCH

Original Application No.423/2003.
this the day of 08.09.2003.

HON'BLE MR. S.K. AGRAWAL, MEMBER (A).

HON'BLE SMT. MEERA CHHIBBER, MEMBER (J).

B.M. Tripathi aged about 42 years S/o,
Sri K.D.M. Tripathi, R/o Durgapuri Colony,
Lilmatha Bazar, Cantt, Lucknow-2(U.P.).

... Applicant.

by Advocate:-Sri R.K.Dubey.

Versus.

Union of India through its Secretary,
Ministry of Communications & I-T., Deptt. of Posts,
Dak Bhawna, Sansad Marg, N. Delhi-1.

2. Chief Post Master General, U.P. Circle,
Hazratganj, Lucknow-1.

3. Director, Postal Services (H.Q.),
Office of Chief PMG, U.P. Circle,
Lucknow.

4. Senior Superintendent ,
R.M.S. 'O' Dn. Charbagh, Lucknow-4(U.P.).

5. Superintendent,
RMS 'BL' Divn., Bareilly (U.P.).

... Respondents.

By Advocate:-Sri P.K.Singh.

...2...

O R D E R (O R A L)

BY MR. S.K. AGRAWAL, MEMBER (A).

The applicant has filed this O.A. seeking his promotion to the next higher scale of Rs.4500-125-7000 w.e.f. 4.4.1999 and to hold D.P.C. and promote the applicant in the next higher scale, as if the D.P.C. recommends and found fit the applicant and to communicate the views of the D.P.C. to the applicant, in case of otherwise, with reasoned and speaking orders.

2. The applicant entered in the Postal Department as Reserve Trained Pool Sorting Assistant in Group-'C' Clerical Cadre with the respondents no.4 w.e.f. 4.4.1983 on ad-hoc basis. It is stated that postal department introduced a financial upgradation scheme vide its O.M. dated 17.12.1983 which was termed as " One Time Bound Promotion Scheme" under which the next first financial upgradation was allowed to each clerical cadre Group-'C' and Group-'D' staff on completion of 16 years satisfactory service in the cadre. Accordingly the Group-'C' clerical cadre staff of Postal Department are being allowed their next financial upgradation to the scale of Rs.4500-125-7000 after completion of 16 years satisfactory service in clerical cadre. The applicant has prayed in his O.A. that he is entitled for his promotion to the next higher scale of Rs.4500-7000 w.e.f. 4.4.1999 in terms of postal department O.M. dated 17.12.1983.

3. The applicant further submitted in the O.A. that the D.P.C. for assessing the suitability of officials for their promotions to the next higher scale of Rs.4500-7000 completing their 16 years satisfactory services for the period January, 1998 to December, 2002 was held in December 2002 by respondent no.4 and orders were issued on 27.12.2002. However, the name of the applicant was not found fit for promotion and could not figure in the list. Applicant counsel submitted in this regard that applicant's name has not been considered at all for promotion to the next higher scale of Rs.4500-7000 w.e.f. 4.4.1999 in terms of One Time Bound Promotion Scheme dated 17.12.1983.

4. The applicant counsel has also stated that the applicant has filed representation to the respondents authority on 6.6.2003 (Annexure-12) which has not been decided so far by the respondents. He has therefore prayed that respondents authority may be directed to decide the representation filed by the applicant on 6.6.2003 (Annexure-12).

5. We have considered all the facts of the case and material placed before us as also the arguments put-forth by the counsel for applicant as well as counsel for respondents and in the interest of justice, we are of the view that this O.A. may be disposed of at admission stage by directing respondents to consider the representation filed by the applicant dated 6.6.2003 (Annexure-12), Accordingly, respondents are directed to decide the representation of the applicant dated 6.6.2003 within a

period of three months from the date of receipt of the copy of this order by well reasoned and speaking order in accordance with Law.

6. The O.A. is disposed of as above without any order as to costs.



MEMBER (J)



MEMBER (A).

Dated:-08-09-2003.
Lucknow.
Amit/-