

(09)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
NEW BOMBAY BENCH, NEW BOMBAY.

O.A.No. 123 of 1987.  
T.A.No. - 198 -

DATE OF DECISION 23.3.1987

Mr.U.T.Dange Applicant/s.

Advocate for the Applicant/s.

Versus

The Secretary, Telecom Respondent/s.  
Department, Dak Tar Bhavan, New Delhi.

Advocate for the Respondent(s).

CORAM:

The Hon'ble J.G.Rajadhyaksha, Member (A)  
The Hon'ble M.B.Mujumdar, Member (J)

1. Whether Reporters of local newspapers may be allowed to see the Judgment? *Yes*

2. To be referred to the Reporter or not ? *No*

3. Whether to be circulated to all Benches? *No*

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
NEW BOMBAY BENCH, NEW BOMBAY

Original Application No.123/87.

Mr.U?T.Dange,  
23/3 Geet Ganga Society,  
Sawarkar Road,  
Dombivli (East),  
Bombay.

.. Applicant

Vs

The Secretary,  
Telecom Department,  
Daktar Bhavan,  
New Delhi.

.. Respondent.

Coram: Hon'ble Member (A) J.G.Rajadhyaksha

Hon'ble Member (J) M.B.Mujumdar

ORAL JUDGEMENT

Dated: 23.3.1987

¶ (Per M.B.Mujumdar, Member (J))

Heard the applicant in person.

The applicant has filed this application on  
on 2.2.1987 under Section 19 of the Administrative  
Tribunals Act, 1985.

He has prayed (See page 7 of the application)  
for restoration of his seniority along with his batchmates  
in Telegraph Engineering Services Group 'B' as if he was  
selected by the DPC in the year 1974. He has further  
prayed that after the restoration of his seniority he  
may be confirmed in Telegraph Engineering Services  
Group 'B' along with his batchmates and thereafter his  
name should be referred to DPC which would be held soon  
for promotion to Telegraph Engineering Services Group 'A'.

After hearing the applicant and perusing the  
application and other documents, we find that the appli-  
cant was not selected by the DPC held in the year 1974  
because of some adverse remarks passed against him.

contd...2

He was not selected by DPC in 1977 also. He was, however, promoted by the DPC in the year 1979. From 1975 he was representing to the Respondent for selection with retrospective effect from 1974. He had also represented against adverse remarks passed against him and these were expunged in 1975. A letter dated 7.1.85 from Assistant Director General (ST) shows that after the expunction of adverse remarks from C.R. the case of the applicant was placed before the DPC for review, but the DPC did not recommend the benefit of restoration of seniority to him.

Admittedly, the applicant is promoted with effect from 1979 only. The only grievance of the applicant is that he should have been promoted by the DPC from 1974 after review of the case by the DPC. As already pointed out earlier, we do not find that the applicant has any case which can be adjudicated upon by this Tribunal. Moreover, even from the letter dated 7.1.85, the applicant's application is not within time because it is filed on 2.2.1987. We, therefore, reject the application summarily under Section 19(3) of the Administrative Tribunals Act, 1985.

(J.G.RAJADHYAKSHA)  
MEMBER (A)

(M.B.MUSUMDAR)  
MEMBER (J)