

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

Original Application No.75/88.

Shri Chandrashekhar Sangamnerkar,  
 Near Madhukar Arts,  
 Munje Road,  
 Dhantoli,  
 Nagpur-440 012.

... Applicant

V/s.

1. Union of India, through  
 Director General Posts,  
 Parliament Street,  
 Dak Bhavan,
2. The Post Master General,  
 Maharashtra Circle,
3. Director of Accounts (Postal),  
 Nagpur-1.

Coram: Hon'ble Vice-Chairman, Shri B.C.Gadgil,  
 Hon'ble Member(A), Shri J.G.Rajadhyaksha.

Oral Judgment:

(Per Shri B.C.Gadgil, Vice-Chairman)

Dated: 26.2.1988.

Heard Mr.Y.B.Phadnis for the applicant. The applicant is working as an Accounts Officer in the Postal Department. The grievance of the applicant is that two other employees Mr. B.K.Shingarey and Mr.B.G.Saraf who are also Accounts Officers have been transferred to Nagpur against the post~~s~~ of Assistant Chief Accounts Officers. Mr.Phadnis contends that such type of order would constitute promotion of these employees to a higher post and that this would not be permissible as the applicant is senior to them. In our opinion, the order (Annexure IV) makes it clear that these two employees have been transferred as 'Accounts Officers' and not as 'Assistant Chief Accounts Officers'. What has been done is that they have been accommodated against the higher vacancies, but they will continue to hold the post~~s~~ of Accounts

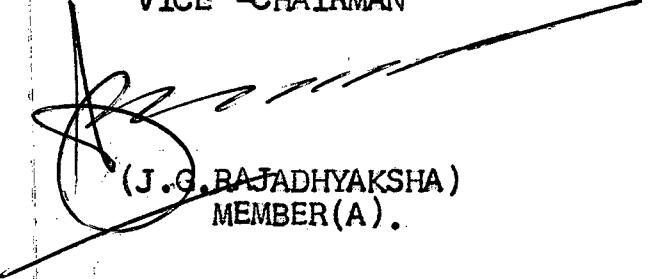
...2.

(3)

- 2 -

Officers. Such ~~bindings~~ or orders would not constitute promotion and hence we are not inclined to admit the application. The application is therefore deserves to be dismissed. However, we make it specifically clear that in case any of the juniors of the applicant are promoted, the applicant would have liberty <sup>to</sup> file a fresh application challenging promotion as may be permissible. With these observations the application is summarily dismissed.

  
(B.C.GADGIL)  
VICE - CHAIRMAN

  
(J.G. RAJADHYAKSHA)  
MEMBER (A).