

4

CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH

Original Application No: 675/88

Transfer Application No: ----

DATE OF DECISION 5-1-1993

Raj Pal Singh

Petitioner

Mr.V.B.Rairkar

Advocate for the Petitioners

Versus

Union of India

Respondent

Mr.R.K.Shetty

Advocate for the Respondent(s)

CORAM:

The Hon'ble Shri Justice S.K.Dhaon, Vice-Chairman

The Hon'ble Shri Ms.Usha Savara, Member(A)

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

ND

MD

NS/

S  
(S.K.DHAON)  
VC

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH

O.A.675/88

Raj Pal Singh,  
Block No.M-26,  
Flat No. 2246,  
Maharashtra Housing  
Society, Yeravada,  
Pune - 411 006. .. Applicant

-versus-

1. Union of India  
through  
The Secretary,  
Ministry of Water Resources,  
New Delhi.
2. Chief Hydrogeologist & Member,  
N.H.IV  
Central Ground Water Board,  
Faridabad(Haryana)
3. Director,  
Central Ground Water Board,  
Central Region,  
21, Central Bazar Road,  
New Ramdas Peth,  
Nagpur - 10.
4. Officer-in-Charge,  
Central Ground Water Board,  
Maharashtra State Unit,  
247/11, Deccan College Road,  
Yeravada, Pune - 411 006. .. Respondents

Coram: Hon'ble Shri Justice S.K.Dhaon,  
Vice-Chairman.

Hon'ble Ms.Usha Savara,  
Member(A)

Appearances:

1. Mr.V.B.Rairkar  
Advocate for the  
Applicant.
2. Mr.R.K.Shetty  
Advocate for the  
Respondents.

ORAL JUDGMENT: Date: 5-1-1993  
(Per S.K.Dhaon, Vice-Chairman)

Learned counsel for the applicant  
made a request that the hearing of this appli-  
cation may be put off so as to enable the  
applicant to obtain necessary orders from the  
Principal Bench for the transfer of this

application to the Jaipur Bench since the applicant has been transferred to Jaipur. We are not inclined to accept this request. In the absence of any order of the Chairman transferring the case from our file, we are proceeding to dispose of the same.

2. The post of Junior Hydrogeologist is a selection post. The Departmental Promotion Committee consisting of five members and presided over by a member of the UPSC considered the case of the applicant and others for promotion to the aforesaid post. The applicant was not promoted. He felt aggrieved and therefore came to this Tribunal by means of this original application.

3. A reply has been filed. The proceedings of the Departmental Promotion Committee have been placed before us. The character roll of the applicant too have been produced before us. The Departmental Promotion Committee rated the applicant as "Good". However, it rated seven candidates senior to the applicant as "Very Good". It also gave similar markings to number of candidates junior to the applicant. In the character roll too the entries which were given to the applicant were good. Therefore, to us, it appears that the ranking given by the DPC stands corroborated <sup>by</sup> in the entries made in the ACRs of the applicant. It, therefore, follows that the applicant was ~~not~~ rightly <sup>and</sup> promoted.

4. Learned counsel has urged that the Director bore some grudge against the

applicant and, therefore, proceedings of the DPC stands vitiated. The Director was not a member of the Departmental Promotion Committee. There is no allegation whatsoever that there was any nexus between the Director and any member of the said committee. The entries contained in the ACR of the applicant also demonstrate that the Director played no role in the case of the applicant with a view to spoil his career.

5. There is no substance in this application. It is dismissed but without any order as to costs.

*U. Law*  
S. 1.93  
(USHA SAVARA)  
Member(A)

*By*  
(S.K.DHAON)  
Vice-Chairman

MD