

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
NEW BOMBAY BENCH, NEW BOMBAY 400 614

OA.NO. 873/88

Shri B.N.Pore,  
204/4, Range Hills,  
Pune - 411 020.

... Applicant

V/S.

1. The General Manager,  
High Explosive Factory,  
Kirkee, Pune-3.
2. The Union of India  
through General Manager,  
High Explosive Factory,  
Kirkee, Pune-3.

... Respondents

CORAM: Hon'ble Member (J) Shri M.B.Mujumdar  
Hon'ble Member (A) Shri P.S.Chaudhuri

Appearances :

Shri D.N.Deshmane  
Advocate  
for the Applicant

Shri R.K.Shetty  
Advocate  
for the Respondents

ORAL JUDGMENT

Dated: 7.2.1989

(PER: M.B.Mujumdar, Member (J))

The applicant is working as Fireman Grade I in the High Explosive Factory at Kirkee, Pune. It is his case that he was due for promotion as Leading Hand Fire w.e.f. 31.7.1987 and hence he has requested for directing the respondents to promote him to that post with effect from the said date, with all the consequential benefits.

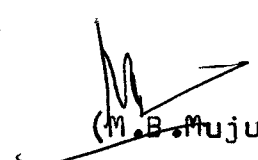
2. The applicant had made a representation regarding his grievance on 21.1.1988. That representation was rejected by the General Manager of the Factory by pointing out that the post of Leading Hand Fire was a selection post. According to the relevant orders DPC considers the record and grades the persons as "Outstanding", "Very Good"

and "Good". The applicant was further informed that he was graded "Good" by the DPC. However, those who were graded as "Very Good" were selected for promotion.

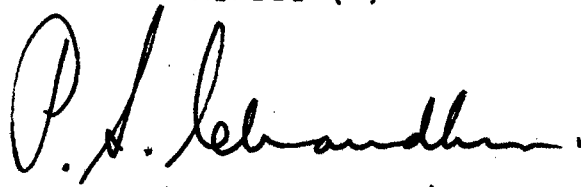
3. We have heard Mr.D.N.Deshmane, learned advocate for the applicant and Mr.R.K.Shetty, learned advocate for the respondents.

4. The applicant, it appears, was under a wrong impression that the post of Leading Hand Fire is a non-selection post. But Mr.Shetty today showed us the Ordnance Factories and Ordnance Equipment Factories (Group 'C' Non-Industrial Posts), Rules, 1976. According to these rules, the post of Leading Hand Fire is a selection post. We have also seen the proceedings of the meeting of the DPC which was held on 31.12.1987. We find that there were in all three vacancies for the post of Leading Hand Fire. One of them was reserved for scheduled castes. The DPC recommended the names of U.B.Jadhav, K.P.Ghule and B.B.Punde. The last is a scheduled caste candidate. U.B.Jadhav, who is senior to the applicant and K.P.Ghule, who is junior to applicant were both graded "Very Good". On the contrary, the applicant was graded as "Good". We do not find anything wrong in the recommendations of the DPC.

5. In result, the applicant cannot challenge his promotion to the post of Leading Hand Fire. As already pointed out, he has filed the application under a wrong impression. We, therefore, reject the application summarily with no orders as to costs.

  
(M.B. Mujumdar)

Member (J)

  
(P.S. Chaudhuri)

Member (A)