

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BANGALORE

DATED THIS THE TWENTY SEVENTH DAY OF NOVEMBER 1986

Present : Hon'ble Shri Ch. Ramakrishna Rao ... Member (J)

Hon'ble Shri P. Srinivasan ... Member (A)

APPLICATION NO. 1363/86(T)

M.R. Ramakrishna,
Postal Assistant,
Frazer Town Sub Office,
Bangalore-560 005. ... Applicant

v.

The Senior Superintendent of Post Offices,
Bangalore East Division,
Bangalore-560 001.

The Director of Postal Services (Hqrs),
Office of the Post Master General,
Karnataka Circle,
Palance Road, Bangalore-560 001. ... Respondents

(Shri N. Basavaraju ... Advocate)

This application has come up for hearing before this
Tribunal today, Hon'ble Member (J) made the following:-

O R D E R

This is a transferred application received from the High
Court of Karnataka. The case was called out several times but
none appeared for the applicant. We have, therefore, proceeded
to deal with the matter with the assistance of Shri N. Basavaraju
learned counsel for respondents.

2. The applicant who was working as a Postal Assistant at
Bangalore in Posts and Telegraph Department, complains that
his juniors were promoted to the Lower Selection Grade (LSG) by
an order dated 6.1.1984 but he has been denied the promotion.
It is stated in the application itself that some disciplinary
inquiry was initiated against the applicant and an order of



punishment was passed postponing increments for two years by an order dated 9.2.1983. His contention is that this punishment should not have come in the way of his promotion. Shri N. Basavaraju informs us that as soon as the period of the punishment expired the applicant was promoted to the LSG with effect from 2.2.1986. When the punishment was subsisting he could not have been promoted. Therefore, the applicant could have no grievance in this regard. After considering the matter, we are of the view that the action of the respondents in not promoting the applicant on 6.1.1984 when the punishment against the applicant was subsisting was in order. The applicant has not challenged this punishment. Obviously when a Government servant is undergoing a punishment he cannot be considered fit for promotion. On the other hand the respondents have acted with alacrity in promoting the applicant immediately after the period of punishment expired. The applicant's claim, therefore, has to fail.

3. In the result the application is dismissed. No orders as to costs.



MEMBER (J)



MEMBER (A)

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