

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BANGALORE

DATED THE 3RD SEPTEMBER, 1986

Present: Justice K.S.Puttaswamy, Vice-Chairman
Sri P. Srinivasan Member

Transferred Application No. 270/86(T)

N.K. Seshadri,
S/o N.S.K. Swamy,
Junior Engineer,
Post & Telegraph,
Civil Circle,
Bangalore - 1. ... Applicant

(Shri Ranganath Joise ... Advocate)

1. The Union of India, represented by Secretary, Ministry of Communications, Dak Tak Bhavan, Sardar Square, Parliament Street, New Delhi-1.
2. The Post & Telegraph Board, represented by its Chairman, Dak Tak Bhavan, Sardar Square, Parliament Street, New Delhi.
3. The Director General, Post & Telegraphs, Dak-Tar Bhavan, Sardar Square, Parliament Street, New Delhi 1.
4. The Superintending Engineer, P&T Circle (Civil), Bangalore - 1.
5. B.L.Ghosh
6. B.P.Saxena
7. S.C.Agarwal
8. S.B.Sharma
9. M.C.Jain
10. S.N.Garg
11. H.L.Anand
12. Manoranjan Pai
13. N.K.Sharma
14. Bhishma Tiwari
15. N.D.Arora
16. L.B.Durgai
17. K.P.Ravindranathan ...

Respondents

(Shri M.Vasudeva Rao ... Advocate)
(Respondents 5 to 17 are all majors, and Assistant Engineers (Civil), Care of, the Director General of Posts & Telegraph, Dak Tak Bhavan, Sardar Square, Parliament Street, New Delhi-1').

The application has come up for hearing before Court to-day, Member(Administrative) made the following:

O R D E R

The Applicant filed Writ Petition No. 4589 of 1980 before the Karnataka High Court which, on transfer to this Tribunal, has been registered as Application No. 270/86.

When he filed the Writ Petition before the High Court, the Applicant was a Junior Engineer (Civil) in the Posts & Telegraphs Department at Bangalore officiating as Assistant Engineer. His grievance is that Respondents no. 5 - 17 who are junior to him in the eligibility list of Junior Engineer(Civil) as on 1.4.77 for promotion to the cadre of Assistant Engineer (Civil) were promoted as Assistant Engineers in preference to him in 1978 even though he had all the requisite qualifications for promotion. He was left out and that is his grievance. It has been asserted on behalf of Respondents 1 - 4 that the Applicant was also considered for promotion in his proper place of seniority by the Departmental Promotion Committee held in March, 1978 but the Respondents were found to have greater merit and since promotion to the post of Assistant Engineer was to be made on merit, the Applicant was left out and Respondents 5-17 recommended for promotion. It is mentioned in the reply that subsequently, the Applicant was also promoted on adhoc basis as Assistant Engineer.

In view of what has been stated on behalf of the Respondents, the Applicant has no case. We do not propose substituting our judgement for that of the Departmental Promotion Committee. Moreover, we are told that the Applicant resigned from service on 17.10.81 and is now employed elsewhere.

P. L. T. S.

Therefore, the grievance urged by him in the application is only of academic interest. In view of this, we do not propose interfering with the promotion of Respondents 5-17 superseding the Applicant. In the result, the application is dismissed. No order as to costs.

Mr. Bhattacharya *P. S. T.*
Vice-Chairman Member (AM)