

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No: 692/91

~~Transfer Application No:~~

DATE OF DECISION: 18.10.1994

Shri A.M.Mhatre Petitioner

Shri G.D.Samant Advocate for the Petitioner

Versus

Union of India & Ors. Respondent

Shri V.S.Masurkar Advocate for the Respondent(s)

CORAM :

The Hon'ble Shri Justice M.S.Deshpande, Vice Chairman

The Hon'ble Shri P.P.Srivastava, Member (A)

1. To be referred to the Reporter or not ? NO
2. Whether it needs to be circulated to other Benches of the Tribunal ? NO


(P.P.SRIVASTAVA)

MEMBER (A)


(M.S.DESHPANDE)

VICE CHAIRMAN

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, BOMBAY

OA NO. 692/91

Shri Anant Madhukar Mhatre ... Applicant
V/S.
Union of India & Ors. ... Respondents

CORAM: Hon'ble Vice Chairman Shri Justice M.S.Deshpande
Hon'ble Member (A) Shri P.P.Srivastava

Appearance

Shri G.D.Samant
Advocate
for the Applicant

Shri V.S.Masurkar
Advocate
for the Respondents

ORAL JUDGEMENT

Dated: 18.10.1994

(PER: M.S.Deshpande, Vice Chairman)

The only question which arises for consideration is whether the applicant should have been considered for promotion before his juniors Sebastian and Koli came to be considered. There is no dispute about the fact that the applicant came to be promoted as Chargeman (AWS) on 6.9.1991 when his juniors Sebastian and Koli came to be promoted earlier.

2. The rule which governs the promotion is as follows :-

" Individuals (Ammunition Mechanic) who have passed matriculation or equivalent and have three years regular service in the grade and have successfully undergone Basic Ammunition Training Course, failing which, Ammunition Mechanic who have three years regular service and have successfully undergone Basic Ammunition Course."



The applicant admittedly had passed 8th std. and was not Matriculate and therefore would not fall in the first category. The applicant's contention that Sebastian and Koli who were junior to him had not passed the basic Ammunition Course as they were not ~~so shown~~ ^{stated in the reply} found in the select list. However, it was found that they both had educational qualifications which were necessary for their being placed in the first category of the rule. In view of this, we see no merit in the application, it is dismissed. No order as to costs.



(P.P.SRIVASTAVA)
MEMBER (A)



(M.S.DESHPANDE)
VICE CHAIRMAN

mrj.