

Dated: 8-4-92

Tribunal's Order

Mr. S.P.Saxena for the applicant. Mr. R.K.Shetty for the respondents.

2. Admit.

3. The applicant was selected by the Union Public Service Commission for the post of Asstt.Surveyor of Works. The panel for promotion to the grade of surveyor of works in M.E.S. which is the next higher post over the Asstt.Surveyor of works, was issued on 11.7.1991 and the applicant was finally selected by the DPC as per the rules for the selection. The selection was operative upto 18.6.1992 unless reviewed earlier or specifically extended beyond this date by the competent authority. The applicant was listed at Sr. No.37 of the list. The applicant was posted to C.W.E. (P/F) Lohagaon, Pune. The applicant's office was not established. The applicant could not join the duties. He was ordered to join the new place of posting by 9.10.1991. The applicant's promotion to the post of Surveyor of works, which is a selection post, is ordered by the respondent on the basis of the Panel for promotion prepared by the relevant D.P.C. The applicant was involved in a disciplinary case against him. No chargesheet was issued to the applicant. In case applicant is not allowed to join duties he will have to lose his seniority.

2. The respondents are directed to post the applicant as per his panel seniority accordingly, which should not be affected by this delay in posting. With this direction this application is disposed of. <sup>Final</sup> No order as to costs.

  
(M.Y. Priolkar)  
Member(A)

  
(U.G. Srivastava)  
Vice-Chairman