

(6)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH  
CIRCUIT SITTING AT NAGPUR.

D.A.NO. 225/92  
TR.A.NO.

199

DATE OF DECISION 22.4.1994

Shri B.G.Sarvaria

Applicant(s)

Versus

Chairman, Ordnance Factories Board Calcutta Respondent(s)

1. Whether it be referred to the Reporter or not ? *m*
2. Whether it be circulated to all the Benches of the Central Administrative Tribunal or not ? *m*

M.R.Kolhatkar  
(M.R.KOLHATKAR)  
MEMBER (A)

M.S.Deshpande  
(M.S.DESHPANDE)  
VICE CHAIRMAN

(7)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH, BOMBAY

CAMP : NAGPUR

OA.NO. 225/92

Shri Baldeosingh Gangasingh Sarvaria ... Applicant

V/S.

Chairman, Ordnance Factories Board,  
Calcutta and another. ... Respondents

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

Appearance

None for the Applicant

Shri R.P.Darda  
Advocate  
for the Respondents

ORAL JUDGEMENT

Dated: 22.4.1994

(PER M.S.Deshpande, Vice Chairman)

The applicant challenges the order by which he was not granted promotion and seeks a direction to the respondents to promote him on the post of H.S. Grade I with retrospective effect and grant all consequential benefits.

2. The applicant who was appointed as a unskilled labour on 24.10.1966 and received the inter-mediate promotions until he was promoted as Fitter Grade II in 1984. His next promotional post was highly skilled Grade II to Grade I in Group 'C' industrial post. The DPC which was held in December, 1990 found the applicant unsuitable and the applicant therefore represented against the denial of promotion on 12.1.1991 but that representation was rejected and so was his appeal dated 15.3.1991.

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3. The respondents' contention is that the applicant was found unsuitable for promotion by the DPC which went through the performance assessments of the applicant and found him to be unsuitable for promotion. The respondents produced the relevant DPC record and Annual Confidential Reports for years which were considered by the DPC. We find that on the basis of two confidential report by which he was found to be unsuitable, the applicant could not have <sup>been</sup> granted promotion claimed.

4. In the result, we see no merit in the application, it is dismissed.

*M.R.K. Kolhatkar*

(M.R.KOLHATKAR)

MEMBER (A)

*M.S. Deshpande*

(M.S.DESHPANDE)

VICE CHAIRMAN

mrj.