

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Second Floor,
Commercial Complex,
Indiranagar,
Bangalore-560 038.

Dated: 22 JUL 1993

APPLICATION NO(s). 43 of 93

Applicant(s) M.K. Varadarajan

v/s. Respondent(s) Deputy Director
General, GSI, Bangalore & Other.

To

- ① Sri. M.K. Varadarajan
S/o. Sri. Rajann Hyengar (Late)
1103, 37th Cross, 4th T-Block,
Jayanagar, Bangalore-11.
- ② Dr. M.S. Nagaraja,
Advocate, no 11,
II floor, I cross,
Srija Complex,
Gandhinagar,
Bangalore-560009.
- ③ The Deputy Director General,
Geological Survey of India,
AMSE Wing, 2 Church Street,
Bangalore-560001
- ④ The Director General,
Geological Survey of India,
27, Jawaharlal Nehru Road,
Calcutta-700016
- ⑤ Secretary,
Ministry of Steel and Mines,
New Delhi.
- ⑥ Mr. Kamal Narayan
Administrative Officer,
Geological Survey of India,
Northern Region, No-3,
Gokhale Marg,
Lucknow
- ⑦ Sri. G. Shankappa
Central Govt Ssg Counsel,
High Court Bldg,
Bangalore

SUBJECT:- Forwarding of copies of the Order passed by
the Central Administrative Tribunal, Bangalore Bench
Bangalore.

Please find enclosed herewith a copy of the ORDER/
STAY/INTERIM ORDER passed by this Tribunal in the above said
application(s) on 02-07-93

Issued
Gm

of

for DEPUTY REGISTRAR
JUDICIAL BRANCHES.
22/7/93

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH : BANGALORE

DATED THIS THE SECOND DAY OF JULY 1993

Present:

Hon'ble Mr. Justice P.K. Shyamsundar ... Vice Chairman

Hon'ble Mr. V. Ramakrishnan ... Member [A]

APPLICATION NO.43/93

M.K. Varadarajan,
Aged 57 years,
S/o late Sri Rajan Iyenjar,
1103,37th Cross,
4th 'T' Block,
Jayanagar,
Bangalore-11.

... Applicant

[Dr. M.S. Nagaraja ... Advocate]

v.

1. The Deputy Director General,
Geological Survey of India,
AMSE Wing, 2 Church Street,
Bangalore-1.
2. The Director General,
Geological Survey of India,
27, Jawaharlal Nehru Road,
Calcutta-700 016.
3. Union of India represented
by the Secretary to Govt.,
Ministry of Steel & Mines,
New Delhi.
4. Kamal Narayan,
Administrative Officer,
GSI, Northern Region,
No.3, Gokhale Marg,
Lucknow [U.P.]

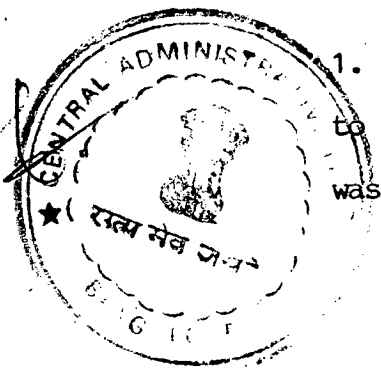
... Respondents

[Shri G. Shanthappa ... Advocate]

This application having come up for hearing before this Tribunal today, Hon'ble Vice-Chairman, made the following:

ORDER

1. The grievance of the applicant is all about non-promotion to the higher post with effect from the date on which his junior was promoted. That appears to have happened on 1.10.1990 and



has since been partially ratified in that he has now been promoted to the higher post with effect from 21.6.1993. A copy of the order of promotion has been placed before us by the learned Standing Counsel and we direct the same to be kept on record but then this improvement in his prospects does not apparently satisfy the applicant because he wants the promotion to clock back to the date on which his junior was promoted ie., from 1.10.1990.

2. It transpires that at the time his junior was promoted the applicant was out of service having been compulsorily retired on the basis of a departmental enquiry. It transpires that subsequently he fought out that order successfully with the result he got back his job and his seniority as well. The applicant having been restored to his previous position the Department could not possibly have refused consideration of his claim for promotion on the date his junior was promoted in the year 1990. Nobody can possibly say that the promotion made in 1993 should be treated as ample compensation for his troubles. But for the intervention of the punishment imposed at the departmental enquiry he would in the usual course stand to gain his promotion in 1990 subject, of course, to being found fit by the assessing authorities. We notice the applicant's seniority was restored by an order dated 17.7.1991, as per copy produced at Annexure A-5. In that view of the matter the department ought to have held a review DPC to consider his claim for promotion with effect from 1.10.1990, the date on which his junior was promoted. That apparently was not done. In that view of the matter we direct the respondents to hold a review DPC to consider the case of the applicant for promotion from the date when his junior was

promoted on 1.10.1990 and promote him if he is found fit which of course will have to be done only on a notional basis. The directions referred above will have to be complied with within three months from the date of receipt of a copy of this order.

10
Sd- Sd-

MEMBER [A]

VICE-CHAIRMAN



TRUE COPY

M. J. Jee 22/7/92

SECTION OFFICER
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Second Floor,
Commercial Complex,
Indiranagar,
Bangalore-38.

Dated: 1 FEB 1994

APPLICATION NO(s) 43/93

APPLICANTS:

M.K. Varadarajan
TO.

RESPONDENTS:

D.G. GST

1. SRI. M.S. Nagasud, Advocate, NO.11.
II floor, I cross, Jayatha Complex.
Gandhi Nagar. Bangalore-9.
2. SRI. G. Shantappa, Advocate
Central Govt stenographic counsel.
High Court Building Bangalore

SUBJECT:- Forwarding of copies of the Orders passed by
the Central Administrative Tribunal, Bangalore.


-xxx-

Please find enclosed herewith a copy of the
ORDER/~~STAY ORDER~~/INTERIM ORDER/, Passed by this Tribunal
in the above mentioned application(s) on 28.1.94.

Issued on
2/2/94

ole
7
DEPUTY REGISTRAR
JUDICIAL BRANCHES.

gm*

Date	Office Notes	Orders of Tribunal
		<p data-bbox="815 344 1042 390"><u>PKS(VC)/VR(MA)</u></p> <p data-bbox="815 401 980 436">20.01.1994</p> <p data-bbox="815 459 1544 608">Time for compliance extended by a further period of three months from the date of this order.</p> <div data-bbox="815 631 1442 757"><div>Sd- M(A)</div><div>Sd- V.C.</div></div> <p data-bbox="1019 780 1238 838">TRUE COPY</p> <p data-bbox="940 849 1442 1113">Sd. <i>[Signature]</i> SECTION OFFICER CENTRAL ADMINISTRATIVE TRIBUNAL ADDITIONAL BENCH BANGALORE 11/2/94</p>