

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

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

Dated: **8 FEB 1994**

APPLICATION NO(s) 639 of 1993.

APPLICANTS: C.K.Reddy v/s. RESPONDENTS Director, Customs & Central  
Excise, New Delhi and Other.

TO.

1. Sri.H.S.Ananthapadmanabha,  
Advocate, No.108, NHCS Layout,  
III Stage, IV-Block,  
Basaveswaranagar, Bangalore-79.
2. ~~Xxi~~. The Collector of Customs,  
Post Box No.5400, Queen's Road,  
Bangalore-1.
3. Sri.M.Vasudeva Rao,  
C.G.S.C., High Court Bldg,  
Bangalore-1.

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 25-01-1994.

*Se Shantha* 9/2/94  
For DEPUTY REGISTRAR  
JUDICIAL BRANCHES.

gm\*

*of*  
*Received*  
*gm*

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH, BANGALORE

ORIGINAL APPLICATION NO.639/93

DATED TUESDAY THE 25TH OF JANUARY, 1994

MR. JUSTICE P.K. SHYAMSUNDAR

VICE CHAIRMAN

MR. T.V. RAMANAN

MEMBER (A)

Shri C.K. Reddy,  
Aged 52 years,  
Senior Technical Assistant,  
Customs & Central Excise,  
Queen's Road,  
P.B.No.5400,  
Bangalore - 560 001

Applicant

(By Advocate Shri H.S.Anantapadmanabha)

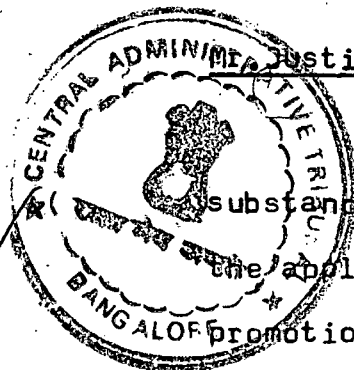
vs.

1. Director  
Directorate of Preventive Operations  
Customs & Central Excise,  
4th Floor, Lokanayak Bhavan,  
Khan Market,  
New Delhi
2. Collector of Customs,  
Queen's Road,  
P.B.No.5400,  
Bangalore - 560 001

Respondents

(By Advocate Shri M.V. Rao)  
Central Govt. Standing Counsel

ORDER



Justice P.K. Shyamsundar, Vice Chairman

Having heard both sides, we find no substance in this application. The grievance of the applicant is that he has been wrongly denied promotion to the post of Superintendent (Maintenance) which is a Group 'B' post to which he has to graduate

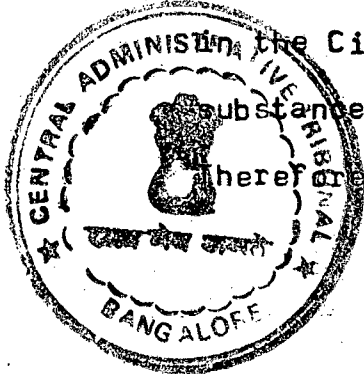
from the present post he is holding as Senior Technical Assistant. It is common ground that till recently people in Group 'C' cadre had to stagnate for want of proper channel of promotion. To remedy the situation, the Government created four posts of Superintendent in Group 'B' posts and distributed it discipline wise as can be seen from Annexure-B (enclosure to Annexure A-5) produced at page 39. The four posts sanctioned to the Bangalore Collectorate at Annexure 5 were distributed as follows:

- 1 for Cipher
- 1 for Maintenance
- 2 for Operation

The applicant being a maintenance man, he certainly could not be promoted to the Cipher Group or the Operation Group. He can only be promoted in the Maintenance Branch. It is not denied that one person who was senior to him in the Maintenance Branch has been promoted. If the senior man has been promoted and found suitable, the junior certainly cannot complain bitterly of non-consideration. He has to wait and secure promotion, all things be equal, in his turn. He cannot seek pre-emption of his chance and jump the queue for promotion. This being the problem which confronts the applicant, we cannot offer any assistance.

2. The applicant's counsel argued that people who were selected and promoted to Cipher Branch and the Operation Branch were juniors to him in the Maintenance in the matter of pay scale. But that has nothing to do with his non-selection.

It may be fortuitous in nature but then they got their promotion in the appointed channel into which the applicant cannot be pushed into. It seems to us the grievance made by the applicant on the basis of promotions secured by other persons in the Cipher and Operation Zones is without any substance. We find no substance in this application. Therefore it fails. No costs.



Sd-

(T.V. RAMANAN)  
MEMBER (A)

Sd-

(P.K. SHYAMSUNDAR)  
VICE CHAIRMAN

**TRUE COPY**

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*S. Sankar*  
SECTION OFFICER 9/2/94  
CENTRAL ADMINISTRATIVE TRIBUNAL  
ADDITIONAL BENCH  
BANGALORE