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

O.A.NO. 230/93  
TR.A.NO. --

199

DATE OF DECISION 6-9-93

Namdeo Pundalirao Paithane

Applicant(s)

Versus

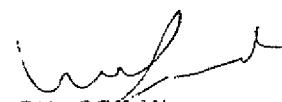
The Sr. Supdt. of Post Offices  
Amaravati and Ors.

Respondent(s)

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

M

MEMBER

  
VICE CHAIRMAN

mbm:

(A)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH  
CIRCUIT SITTING AT NAGPUR

O.A.230/93

Namdeo Pundalikrao Paithane,  
Adiwasí Colony,  
Congress Nagar Road,  
Amaravati - 444 602.

.. Applicant

-versus-

1. The Senior Superintendent  
of Post Offices,  
Amaravati Division,  
Amaravati - 444 602.

2. The Post Master General,  
Vidarbha Region,  
Shankarnagar,  
Nagpur - 440 010.

3. The Chief Post Master  
General,  
Maharashtra Circle,  
Bombay G.P.O. Bldg.,  
Bombay.

.. Respondents

Coram: Hon'ble Shri Justice M.S.Deshpande  
Vice-Chairman.

Hon'ble Ms. Usha Savara, Member (A)

Appearances:

1. Mr. A. S. Bhagat  
Advocate for the  
Applicant.

2. Mr. R. S. Sundaram  
Counsel for the  
Respondents.

ORAL JUDGMENT: Date: 6-9-93  
(Per M.S. Deshpande, Vice-Chairman)

The only question which arises for consideration is whether the applicant was entitled to ~~maximum~~ second time-bound-promotion on the basis of instructions dt. 11-10-91 (Annexure VII to application). The scheme of the second time-bound-promotion was applicable to the category to which the first time-bound-promotion could be given after completion of 16 years of service. The requirement for grant of second time bound promotion

under clause 2(iv) was 26 years of satisfactory service.

2. We are not impressed with the respondents submission that even the performance of the applicant after the period of 26 years of service could be taken into consideration for giving him the second time bound promotion.

The requirement under the instruction is only 26 years of satisfactory service. The instances given by the respondents relates to the adverse entries recorded after 26 years of service and the departmental enquiry initiated thereafter.

3. Mr. Sundaram states that the respondents have not considered whether the applicant had ~~xx~~ satisfactory service during the 26 years. We find that it will be expedient to permit the respondents to have the review of the performance of the applicant for the first 26 years of service for considering eligibility for the second time bound promotion.

4. The respondents may consider the service record of the applicant for the first 26 years within two months from today and grant the second time bound promotion if he is found eligible. Liberty to the applicant to approach the Tribunal should he feel aggrieved by the decision rendered by the respondents in the light of what we have stated above. The application is disposed of with this direction.

*M. Savara*  
(USHA SAVARA) 6.9.93.  
M(A)

*M.S. Deshpande*  
(M.S. DESHPANDE)  
VC