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

O.A.NO. 2 30/93

199

TR.A.NO. --

DATE OF DECISION 6-9-93

Namdeo Pundalirao Paithane

Applicant(s)

Versus

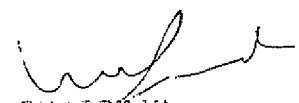
**The Sr.Suptd. of Post Offices
Amaravati and Ors.**

Respondent(s)

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

M

MEMBER


VICE CHAIRMAN

mbm

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH
CIRCUIT SITTING AT NAGPUR

O.A.230/93

Namdeo Pundalikrao Paithane,
Adiwasi 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 ~~xxxxxx~~ 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} of second time bound promotion

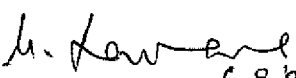
(4)

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 related 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.


(USHA SAVARA)
M(A)

6.9.93.


(M.S. DESHPANDE)
VC