

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No. _____

333/93

Transfer Application No. _____

Date of Decision 22.8.95

Abdul Khaliq

Petitioner/s

Advocate for
the Petitioners

Versus

U.O.I. & 3 ors.

Respondent/s

Mr. Sureshkumar for Mr.M.I.Sethna

Advocate for
the Respondents

CORAM :

Hon'ble Shri.

Justice M.S.Deshpande, Vice Chairman

P.P.Srivastava, Member(A)

Hon'ble Shri.

(1) To be referred to the Reporter or not ? _____

(2) Whether it needs to be circulated to
other Benches of the Tribunal ? *na*


Vice Chairman

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, 'GULESTAN' BUILDING NO.6
PRESCOT ROAD, BOMBAY 1

O.A.NO. 333/93

ABDUL KHALIQUE

..Applicant

V/s

The Secretary, Ministry of
Information and Broadcasting,

Shastri Bhavan, New Delhi & 3 ors. ..Respondents

Coram: Hon.Shri Justice M.S.Deshpande, V.C.

Hon.Shri P.P.Srivastava, Member(A)

ORAL JUDGMENT:


DATED: 22.8.95

(Per: M.S.Deshpande, Vice Chairman)

None for the applicant. Mr.Sureshkumar
for Mr. M.I.Sethna, counsel for respondents.


2. The applicant was appointed as Programme Executive in the scale Rs.2000-3500 after his recommendation by the UPSC and was posted with the All India Radio, Patna and was transferred in 1981 to Gorakhpur and ultimately he was transferred to Patna in 1987. He came to be promoted on 12.9.88 as Assistant Station Director and was posted at All India Radio, Ranchi. In the final seniority list published on 1.9.92 the applicant's name appeared at Sr.No. 52 while that of Respondent Nos.3 and 4 at Serial Nos. 53 and 54. The respondent had issued an order of promotion on 24.2.93 in which the applicant's name did not figure for promotion to the post of Senior Time Scale Group A Programme Management Cadre. The applicant therefore approached the Tribunal for modifying the order dated 24.2.93 for giving him promotion from the due date and for showing Respondents Nos. 3 and 4 below the applicant.


3). The respondents contended that the matter was reviewed and by the order dated December



2, 1993 the applicant was promoted w.e.f. 25.2.93 to the post in Senior Time Scale and was posted as Station Director, All India Radio Sholapur. He was not however to be given any pay or allowances because of the notional promotion and his seniority would be fixed in accordance with the recommendations of the UPSC. The applicant took charge of the post with retrospective effect i.e., w.e.f. 24.2.93 as mentioned in the charge assumption report signed by the applicant dated 17.2.94.

4. It is therefore clear that the applicant has not only been promoted but his seniority has also been restored to him and therefore nothing survives in this petition. The O.A. is therefore disposed of with no order as to costs.


(P.P. Srivastava)
Member(A)


(M.S. Deshpande)
Vice Chairman