

CENTRAL ADMINISTRATIVE TRIBUNAL: MUMBAI BENCH: MUMBAI

ORIGINAL APPLICATION NO.544 OF 1993

TUESDAY, THIS THE 6TH DAY OF JULY, 1999.

Shri Justice S.Venkataraman, .. Vice-Chairman.

Shri S.K.Ghosal, .. Member(A).

Vithal Bandu Shitole,  
T.No.1909, Asstt. Mistry (Machineman),  
G.W.S.Department, India Government Mint,  
Shahid Bhagat Singh Road,  
Fort, Bombay-400 023 C/o C.Nathan,  
Advocate High Court, 17, Dalvi Building,  
Dr.Ambedkar Road, Parel, Bombay-12.

.. Applicant.

(In person - absent)

-v-

1. The General Manager,  
India Government Mint, Shahid Bhagat Singh  
Road, Fort, Bombay-400 023.

2. C.S.Phadtare,  
T.No.2397, Asstt. Mistry (Machineman),  
G.W.S.Department,  
India Government Mint, Shahid  
Bhagat Singh Road, Fort,  
Bombay-400 023.

.. Respondents.

( By Shri V.G. Rege & Shri V.D. Vadhavkar, for  
Shri M.I. Sethna, Sr-Standing Counsel ).

O R D E R

Justice S.Venkataraman, Vice-Chairman:-

This application has been filed by the applicant in person.  
It is seen that the applicant has not been appearing from the  
last two dates and even to-day he is absent. We have perused  
the application. The applicant was working as Assistant Mistry  
from 1-10-1985 and he is stated to be senior to respondent-2.

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He was once promoted on ad hoc basis in leave vacancy as Mistry from 10-4-1989 to 28-4-1989. His grievance is that when the leave vacancy of Mistry for the period from 28-4-1993 to 22-5-'93 arose, he was not promoted, but instead his junior, the 2nd respondent was promoted. He has, therefore, sought for quashing 2nd respondent's promotion and giving him that promotion.

2. The case of the respondents is that the case of the applicant was considered for ad hoc promotion, that as he was considered unfit by the officers concerned, the next junior, the 2nd respondent who was found fit was promoted on ad hoc basis during that leave vacancy.

3. It is strange that the applicant has come to this tribunal to seek appointment on ad hoc basis for a period of <sup>less</sup> ~~about~~ 2 days and this case is pending from 6 years. It is seen that the respondents have considered the applicant's case when respondent-2 was given that ad hoc promotion. The respondents have produced a report given by the concerned committee with regard to the fitness of all the candidates who were eligible for promotion. The committee noted that the applicant was working on milling work from past 2 months and so far the job <sup>was</sup> ~~is~~ was not completed and that his progress was slow. Earlier to this report, the respondents had issued a memo dated 29-12-1992/2-1-1993 informing the applicant that he was not taking interest in work and was not following the instruction of his superior and that he would not be considered for promotion to higher grades. In view of the material placed by the respondents to show that the applicant was actually considered and was found unfit for

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the ad hoc promotion, we do not see any merit in this application. The application is, accordingly dismissed. No costs.



(S.K. GHOSAL)  
MEMBER (A)



(S. VENKATARAMAN)  
VICE-CHAIRMAN.

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