

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

BOMBAY BENCH, BOMBAY.

Original Application No.110/94.

M.M.Naik.

... Applicant.

V/s.

Union of India & Anr.

... Respondents.

Coram: Hon'ble Shri Justice M.S.Deshpande, Vice-Chairman,
Hon'ble Shri P.P.Srivastava, Member(A).

Appearances:-

Applicant by Shri Y.R.Singh.

Respondents by Shri V.S.Masurkar.

Oral Judgment:-

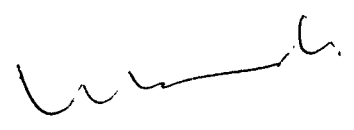
{Per Shri M.S.Deshpande, Vice-Chairman} Dt. 24.6.1994.

The only question which arises for consideration is whether the applicant had put in two years qualifying service which would have enabled him to appear at the departmental examination for promotion to the LDC cadre. The applicant admittedly joined as LDC on 5.7.1988 and his eligibility had to be determined on the basis of the date i.e. 1.7.1990. The applicant claims that if the four days compensatory off granted to him is taken into consideration, then he would be entitled to appear for the examination. No Rule has been quoted to show that these four days compensatory off can be treated as regular service.

2. Shri Singh urges that since he was allowed to appear at the examination, he is challenging the letter dt. 16.3.1993 on the principle of promissory estoppel. In view of applicant's own contention that he was allowed to appear for the examination, there is no ^{question of} tentative promissory estoppel. The application is therefore, dismissed.



(P.P. SRIVASTAVA)
MEMBER (A)



(M.S. DESHPANDE)
VICE-CHAIRMAN.