

CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION NO.973/97

Dated this, Thursday the 13th day of December, 2001.

Shri P.M. Gajbhiye ... Applicant  
(Applicant by Shri G.S.Walia,, Advocate)


Versus

UOI & Ors. ... Respondents  
(Respondents by Shri V.S.Masurkar, Advocate)

CORAM:

HON'BLE SHRI S.R. ADIGE, VICE CHAIRMAN (A)  
HON'BLE SHRI S.L.JAIN, MEMBER (J)

- (1) To be referred to the Reporter or not? *No*
- (2) Whether it needs to be circulated to other Benches of the Tribunal? *No*
- (3) Library. *Yes*

  
(S.R.Adige)  
Vice Chairman (A)

sj\*

CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH, MUMBAI.

Original Application No.973/97

Dated: the 13th December, 2001

CORAM: HON'BLE SHRI S.R. ADIGE, VICE CHAIRMAN (A)  
HON'BLE SHRI S.L.JAIN, MEMBER (J)

Shri P.M. Gajbhiye,  
working as  
Telegraph Master (O)  
under Chief Superintendent,  
Central Telegraph Office,  
Mumbai.

C/o G.S.Walia,  
Advocate, High Court  
Industrial Traders Bldg.  
Opp. Mah. State Coop Bank,  
Nagindas Master Road,  
Fort, Mumbai 400 023. ...  
(Applicant by Shri G.S.Walia, advocate)

Applicant

vs.

1. Union of India, through  
The Chief General Manager,  
Telecommunications,  
Maharashtra Telecome Circle,  
Mumbai.

2. Chief Superintendent  
Central Telegraph Office  
Mumbai 400 001. ....  
(Respondents by Shri V.S.Masurkar,Adv.)

Respondents

O R D E R (ORAL)

[Per: S.R.Adige, Vice Chairman (A)]:

~ BCR

Applicant seeks promotion to <sup>BCR</sup>Grade III w.e.f. 1.1.1993  
under the Biennial Cadre Review Scheme (BCR) with consequential  
benefits.

2. Heard both sides.

3. It is not denied that the benefits under the BCR Scheme  
are admissible only on selection basis. For promotion to <sup>BCR</sup>Grade  
III w.e.f. 1.1.1993, 5 ACRs of applicant would be relevant and we  
note from paragraph 19 of respondents reply that the case of

..2/-

applicant for promotion under BCR Scheme <sup>^</sup>Was considered as many as six times by the DPC in its meetings held on 21.12.1990, 26.2.1992, 7.5.1993, 3.3.1994, 12.7.1995 and 30.8.1996 but he was not recommended<sup>^</sup> due to overall unsatisfactory records of service.

4. This specific assertions of respondents in their reply has<sup>^</sup>not been challenged by the applicant in any rejoinder filed by him.

5. Under the circumstances, we find ourselves unable to direct the respondents to consider promoting the applicant under the BCR Scheme w.e.f.<sup>^</sup>1.1.93. In this connection, we are informed that the applicant has subsequently been promoted to <sup>BCR</sup>Grade III in 1998 with retrospective effect from 1.7.1998. The O.A. warrants no interference and the same is dismissed. No costs.

*S.L.Jain*  
(S.L.Jain)  
Member (J)  
ej\*

*S.R.Adige*  
(S.R.Adige)  
Vice Chairman (A)