

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

Original Application No: 853/98

Date of Decision: 19/7/99

Shri M.R.Rohit Applicant.

Shri A.L.Bhatkar Advocate for
Applicant.

Versus

Administrator, U.T.of Daman & Diu and
Dadra Nagar Haveli & 2 Ors.

Respondent(s)

Shri V.S.Nasurkar Advocate for
Respondent(s)

CORAM:

Hon'ble Shri. Justice R.G.Vaidyanatna, Vice Chairman

Hon'ble Shri. B.N.Bahadur, Member(A)

(1) To be referred to the Reporter or not? *no*

(2) Whether it needs to be circulated to
other Benches of the Tribunal? *no*

R.G.Vaidyanatna
(R.G.VAIDYANATHA)
VICE CHAIRMAN

abp

CENTRAL ADMINISTRATIVE TRIBUNAL
GULESTAN BLDG.NO.6,4TH FLR,PRESCOT RD,
FORT, MUMBAI-400 001.

ORIGINAL APPLICATION NO:853/98.
DATED THE 19TH DAY OF JULY,1999

CORAM:HON'BLE SHRI JUSTICE R.G.VAIDYANATHA,VICE CHAIRMAN
HON'BLE SHRI B.N.BAHADUR, MEMBER(A)

M.R.Rohit,
working as Police Sub-
Inspector, ASP Office
Dadra Nagar Haveli,
Silvasa 396230.

... Applicant

By Advocate Shri A.I.Bhatkar

v/s.

1. Administrator,
Union Territories of
Daman, Diu, and Dadra
Nagar Haveli,
Secretariate, Moti Daman.
2. Asstt. Inspector,
General of Police,
Daman, Diu and Dadra
Nagar Haveli, Daman
3. Asstt. Secretary,
(Personnel)Moti Daman
and Silvasa.

... Respondents.

By Advocate Shri V.S.Masurkar

|| O R D E R || ORAL ||

¶ Per Shri R.G.Vaidyanatha, Vice Chairman ¶

This is an application filed by applicant for a direction to respondents to consider the case of applicant for promotion for the post of Inspector of Police under the administration of Daman & Diu and Dadra Nagar Haveli and for other consequential reliefs. Respondents have filed reply opposing the application. Since the prayer made is limited prayer and it is a short point, we are disposing of this OA at the admission stage.

2. The applicant is now working as a Sub Inspector in the Dadra & Nagar Haveli. Though he was promoted in 1991, he has now been given notional promotion w.e.f. 21/3/85 as can be seen from the

...2/-

order of promotion dated 23/7/98. Applicant's case is that he is the senior most Sub-Inspector of Police and entitled to be considered for promotion to the post of Inspector of Police. He also relies on the seniority list dated 1/1/99 which shows the applicant at Sr.No.1. Respondents have taken number of grounds as to why the applicant could not be considered for promotion so far.

3. At the time of arguments, the learned counsel for applicant submitted that according to the seniority of the applicant, the respondents be directed to promote the applicant to the post of Inspector of Police. Counsel for respondents submitted that the case of the applicant will be considered as per rules. Hence without going into the disputed facts, we feel that the respondents should be directed to consider the case of the applicant subject to course to eligibility, qualifications and rules.

4. In the result, the OA is disposed of at Admission Stage.

We give direction to respondents to consider the claim of the applicant for promotion to the post of Inspector of Police, subject to his seniority, eligibility, qualification and as per rules.

In the circumstances of the case, there will be no orders as to costs.

B.N.Bahadur

(B.N.BAHADUR)
MEMBER(A)

R.G.Vaidyanatha

(R.G.VAIDYANATHA)
VICE CHAIRMAN

abp