

CENTRAL ADMINISTRATIVE TRIBUNAL

BENCH AT MUMBAI

ORIGINAL APPLICATION NO.150/98.

Date of Decision: 7/9/98.

Shri Ashok Shanturao Deshpande Petitioner/s

in person

Advocate for the
Petitioner/s.

v/s.

The Director General, Respondent/s

Department of Post & 2 Ors.

Shri S.S. Karkera for Shri Pradhan Advocate for the
Respondent/s.

CORAM:

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

Hon'ble Shri D.S. Baweja, Member(A).

(1) To be referred to the Reporter or not?
(2) Whether it needs to be circulated to other Benches of the
Tribunal?

abp.

(R. G. VAIDYANATHA)
VICE CHAIRMAN

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

GULE STAN BLDG. NO.6, 4TH FLR, PRESCOT RD, FORT,

MUMBAI-400 001.

ORIGINAL APPLICATION NO.150/98

DATED THE 7TH DAY OF SEPTEMBER, 1998.

CORAM: Hon'ble Shri Justice R.G.Vaidyanatha, Vice Chairman,

Hon'ble Shri D.S.Baweja, Member(A).

Ashok S/O Shanturao Deshpande,
Stenographer-Grade III,
Office of the Sr. Supdt. of Post Offices,
Aurangabad Division-431 001.

... Applicant.

(In Person) V/s.

1. The Director General,
Department of Post,
Dak Bhawan, Sansad Marg,
New Delhi-110 001.

2. Chief Postmaster General,
Maharashtra Circle,
Mumbai - 400 001.

3. The Postmaster General,
Maharashtra Circle,
Aurangabad Circle,
Aurangabad Region-431 002.

... Respondents-

By Advocate Shri S.S.Karkera for
Shri P.M.Pradhan.

I O R D E R I

I Per Shri R.G.Vaidyanatha, Vice Chairman]

This application is filed by applicant seeking a direction to the Government to provide promotional opportunities to stenographers. Respondents have filed reply opposing the application. Applicant has also filed MP-338/98 for certain direction to respondents. Learned Counsel for respondents opposes the MP. We have heard both sides regarding admission and MP.

2. The applicant's grievance is that he has become a stenographer and he has no opportunity to next promotion and he wants Government to create avenues of promotion, one after completing 10years and another after completing 20years.

In our view this prayer is in the nature regarding policy matter. Such a relief cannot be granted by Tribunal or Court

It is open to the applicant to approach the association for stenographers to request the Government to create avenues for promotion to stenographers after a period of 10 years and 20 years. It is not a question for judicial review.

3. As far as the applicant's request in the MP is concerned that his service rendered as Stenographer may be counted as Postal Assistant service. Strictly speaking it cannot be granted since there is no time bound promotion given to stenographers. No doubt Postal Assistant has one time bound promotion.

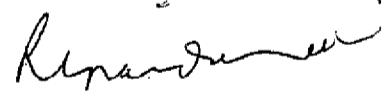
4. The learned counsel for respondents stated that if the applicant seeks a reversion to the post of Postal Assistant and then ask for time bound promotion, and if such a request is made to the competent authority will decide the same according to rules.

Therefore we give liberty to applicant to offer himself to suffer a reversion to the post of Postal Assistant and then seek the benefit of one time bound promotion as per rules. If such a representation is made, competent authority may consider the same and pass appropriate order.

5. In the result, OA is rejected since the dispute is regarding a policy matter for which there is no judicial review. MP-338/98 is disposed of subject to observations made above. NO costs.


(D.S. BAWEJA)
MEMBER (A)

abp.


(R.G. VAIDYANATHA)
VICE CHAIRMAN