

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH  
JAIPUR.

O.A.No.722/92

Dt. of order: 16.12.93

Heera Lal Meena

: Applicant

Vs.

Union of India & Ors.

: Respondents

Mr.J.K.Kaushik

: Counsel for applicant

Mr.M.Rafiq

: Counsel for respondents No.1&2

Mr.R.N.Mathur

: Counsel for respondent No.3

CORAM:

Hon'ble Mr.Justice D.L.Mehta, Vice Chairman

Hon'ble Mr.B.B.Mahajan, Member(Adm.).

PER HON'BLE MR.B.B.MAHAJAN, MEMBER(ADM.).

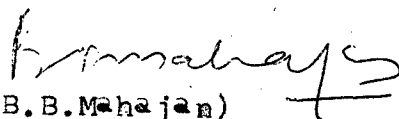
Applicant Heera Lal Meena, has filed this application under Sec.19 of the A.Ts Act, 1985.

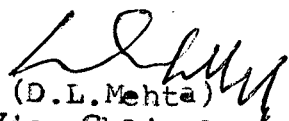
2. We have heard the learned counsel for the parties. The applicant has been allotted seniority as Senior Clerk scale Rs.330-560 w.e.f. 7.9.79 in BWSM unit vide order of DRM Jaipur dated 30.4.85 (Annex.A-16). He is naturally entitled to be considered for promotion to higher posts in accordance with this seniority position from the date his juniors have been promoted.

3. We accordingly direct that the case of the applicant may be considered for promotion to the higher posts in accordance with rules from the date his juniors were promoted in the BWSM Unit. It has been brought to our notice by the learned counsel for the respondents without production of the record, that the applicant had failed to qualify in the selection test for the post of Chief Clerk. If that be so, the applicant <sup>will</sup> should not be entitled for promotion to that post. His case for promotion to various higher posts ~~will be~~ <sup>has</sup> on the basis of his seniority ~~as~~ to be considered in accordance with the normal rules. In case he is promoted from retrospective

date he will be entitled to all consequential benefits  
His suitability for promotion may be considered within  
a period of six months from the date of receipt of a  
copy of this order.

4. The O.A. is disposed of accordingly. Parties to  
bear their own costs.

  
(B.B. Mahajan)  
Member (Adm.)

  
(D.L. Mehta)  
Vice Chairman.