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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD.

O.A.No.539/89.

Date of Judgement / 9/5 Oct 1992.

A.Jagannadha Rao

.. Applicant

Vs.

1. Admiral Supdt.,  
Naval Dock Yard,  
Visakhapatnam.

2. Flag Officer  
Commanding-in-Chief,  
Eastern Naval Command,  
Visakhapatnam.

.. Respondents

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Counsel for the Applicant : Shri Y.S.Venkat Rao

Counsel for the Respondents : Shri Rajeswara Rao for  
Shri N.V.Ramana, Addl. CGSC

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CORAM:

Hon'ble Shri R.Balasubramanian : Member(A)

Hon'ble Shri C.J.Roy : Member(J)

[ Judgement as per Hon'ble Shri R.Balasubramanian, Member(A) ]

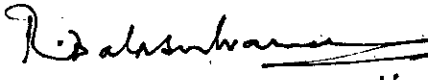
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This application is filed seeking a direction that he be treated as promoted as Foreman w.e.f. August, 1983 with all consequential benefits.

2. The applicant joined the Naval Dock Yard in April, 1972. He became eligible for promotion as Foreman in December, 1980. He was deputed to U.S.S.R. for training. It is alleged that when he was out of the country, a D.P.C. was held and he was not considered because he was not within the zone of consideration. <sup>Again in 1984 and 1987 his promotion was not considered</sup> It is his contention that there were enough vacancies to bring him within the zone of consideration. Aggrieved, he filed O.A.No.642/87 which was disposed of with a direction to him to file an appeal to the concerned authorities. He did. This was replied to vide order dt. 11.5.88 not acceding to his request. Hence this O.A.

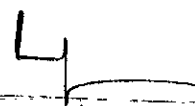
3. The O.A. is opposed by the respondents who have filed a counter. He was considered for promotion in the D.P.C. meeting of August, 1983 but did not make it in the selection. In the December, 1984 and May, 1987 selections, due to the small number of vacancies, he did not come within the zone of consideration. The March, 1989 D.P.C. found him fit and he was promoted in June, 1989. The applicant did not, however, move to Calcutta to avail of the promotion.

4. We have examined the case and heard the rival sides. The applicant has not established any illegality in the action of the respondents. He does not appear to be serious about promotion as seen from his <sup>spurning</sup> ~~spurning~~ the promotion in 1989. We dismiss the application with no order as to costs.

  
( R. Balasubramanian )  
Member(A).

  
( C. J. Roy )  
Member(J).

Dated: 19<sup>th</sup> October, 1992.

  
Deputy Registrar(J)

To

1. The Admiral Superintendent,  
Naval Dock Yard, Visakhapatnam.
2. The Flag Officer, Commanding-in-Chief  
Eastern Naval Command, Visakhapatnam.
3. One copy to Mr. Y. S. Venkat Rao, Advocate, 5-C Bagh Amberpet, Hyd.
4. One copy to Mr. N. V. Ramana, Addl. CGSC. CAT. Hyd.
5. One spare copy.

pvm.

2nd signed  
per 10/10/92

2  
TYPED BY

COMPARED BY

CHECKED BY

RM  
13/11

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH : HYDERABAD

THE HON'BLE MR

AND

THE HON'BLE MR. R. BALASUBRAMANIAN: M(A)

AND

THE HON'BLE MR. T. CHANDRASEKHAR REDDY:  
M(JUDL)

AND

THE HON'BLE MR. C. J. ROY : MEMBER(JUDL)

Dated: 19 - 10 1992

~~ORDER~~/JUDGMENT:

R.A. / C.A. / M.A. No

in

O.A. No. 539/89

T.A. No.

(wp. No )

Admitted and interim directions  
issued.

Allowed

Disposed of with directions

Dismissed

Dismissed as withdrawn

Dismissed for default

M.A. Ordered/Rejected

No orders as to costs.

pvm

