

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

HYDERABAD BENCH : AT HYDERABAD

OA 592/90.

Dt. of Order:17-3-94.

V.Ramaiah

....Applicant

Vs.

1. The National Savings Commissioner
for India, P.B.No.96, Seminary Hills,
NAGPUR, Maharashtra State.

2. The Regional Director, National
Savings (Govt., of India),
Gandhi Nagar, VIJAYAWADA.

....Respondents

Counsel for the Applicant : Shri K.Sudhakar Reddy

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

CORAM:

THE HON'BLE JUSTICE SHRI V.NEELADRI RAO : VICE-CHAIRMAN

THE HON'BLE SHRI A.B.GORTHI : MEMBER (A)

....2.

O.A. NO. 592/90.

JUDGMENT

Dt: 17.3.94.

(AS PER HON'BLE SHRI A.B.GORTHI, MEMBER (ADMINISTRATIVE).

Heard Shri K.Sudhakar Reddy, learned counsel for the applicant and Shri N.V.Ramana, learned standing counsel for the respondents.

2. The applicant joined National Savings Organisation as UDC in 1958. He was promoted to the post of District Savings Officer on 5.6.1968 and was given selection grade in that appointment with effect from 28.8.1984. He was due for promotion to the next post of Deputy Regional Director but it was denied to him. On the other hand, ~~the~~ some of the juniors to the applicant were promoted to that post. Aggrieved by the same, he represented to the authorities concerned but it was turned down vide Regional Director's letter dated 8.9.1988. In that letter, a reference was made to the National Savings Commissioner's letter No.21773/¹ PF/II-1/ dated 31.8.1988. The relief claimed by the applicant is for setting aside the aforesaid letter of the National Savings Commissioner rejecting his representation and for a direction to the respondents to consider his case for promotion to the post of Deputy Regional Director from a date when his juniors were promoted, with all consequential benefits.

3. The respondents in their reply affidavit have stated that grant of selection grade in the post of District Savings Officer would not amount to granting promotion or granting any higher seniority to the applicant. The applicant's seniority in the post of

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District Savings Officer would remain unaffected. When the turn of the applicant came for consideration for promotion to the post of Deputy Regional Director, his case was subjected for consideration by a duly constituted Departmental Promotion Committee. The DPC which met on 8.7.1988 having considered the record of the applicant found him 'not fit' for promotion.

4. The main contention raised on behalf of the applicant is that the applicant having been granted the selection grade, that aspect should have been taken into consideration by the respondents in considering his case for promotion to the next higher post of Deputy Regional Director. This aspect is, as a matter of fact, has been sufficiently clarified by the respondents in their reply affidavit according to which grant of selection grade in the post of District Savings Officer would not confer any higher seniority. As regards the claim of the applicant for consideration for promotion, the respondents have shown us the proceedings of the DPC held on 8.7.1988. The same clearly indicate that the case of the applicant was duly considered and he was found not fit for promotion. There is no allegation in the OA of any malafides on the part of any of the members constituting the DPC.

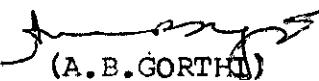
5. The applicant has only a right to claim that his case be considered for promotion. He cannot claim promotion as a matter of right. In the instant case, as the applicant's case was duly considered by the DPC which found him not fit for promotion, the relief claimed by the applicant in this OA cannot be granted.

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6. During the course of the arguments, it is submitted by Shri K. Sudhakar Reddy that during the pendency of this OA, the case of the applicant was considered by the DPC for promotion to the post of ~~Regional~~ Deputy Regional Director when another vacancy had arisen and then he was promoted. That is not relevant for consideration of this OA and it is merely mentioned in this order as it was submitted for the applicant. The applicant also retired from service.

7. In the result, we find no merit in this OA and it is hereby dismissed without any order as to costs.


(A.B. GORTHI)
MEMBER (ADMN.)


(V.NEELADRI RAO)
VICE CHAIRMAN

DATED: 17th March, 1994.
Open court dictation.

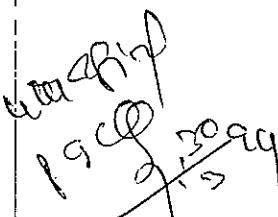

Deputy Registrar (J) CC

vsn

To

1. The National Savings Commissioner for India, P.B.No. 96, Seminary Hills, Nagpur, Maharashtra State.
2. The Regional Director, National Savings, Govt. of India, Gandhi Nagar, Vijayawada.
3. One copy to Mr. K. Sudhakar Reddy, Advocate, CAT.Hyd.
4. One copy to Mr. N.V. Ramana, Addl.CGSC.CAT.Hyd.
5. One copy to Library, CAT.Hyd.
6. One spare copy.

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19/3/94

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.JUSTICE V.NEELADRI RAO
VICE CHAIRMAN

AND

THE HON'BLE MR.A.B.GORTHI : MEMBER(AD)

AND

THE HON'BLE MR.TOCHANDRASEKHAR REDDY
MEMBER(JUDL)

AND

THE HON'BLE MR.R.RANGARAJAN : M(ADMN)

Dated: 17-3-1994

ORDER/JUDGMENT

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

in

O.A.No. 592/90

T.A.No. (w.p.)

Admitted and Interim Directions
Issued.

Allowed

Disposed of with directions

Dismissed.

Dismissed as withdrawn.

Dismissed for Default.

Rejected/Ordered.

No order as to costs.

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