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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

ORIGINAL APPLICATION NO. 891-OF-1994

DATE OF ORDER: - 30th June, 1997

BETWEEN:

M.KONDAIAH

AND

1. The Post Master General, APSR,
Ashok Nagar, Kurnool 518005,
2. The Chief Post Master General,
Dept. of Posts, Dak Sadan,
Abids, Hyderabad.

.. RESPONDENTS

COUNSEL FOR THE APPLICANT: Mr.KRISHNA DEVAN

COUNSEL FOR THE RESPONDENTS:Mr.V.BHIMANNA, ADDL. COUNSEL

CORAM:

HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMN.)

HON'BLE SHRI B.S.JAI PARAMESHWAR, MEMBER (JUDL.)

ORDER

ORAL ORDER (PER HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMN.))

None for the applicant. Mr.V.Bhimanna, learned standing counsel for the respondents.

2. The applicant while working as LDC in Savings Bank Controlling Organisation (SBCO) of Postal Department in the pay scale of Rs.260-400, became eligible for promotion under ~~KBOP~~ scheme with effect from 1.8.91 under DGP letter dated 26.7.91 as he had by then completed 16 years of service. The applicant was considered for promotion as on

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1.8.91 but he was not promoted as he was not found fit. He submitted a representation dated 20.4.92 against his non promotion with effect from 1.8.91 and he was informed that he is not fit enough to be promoted from that date. However, he was recommended by the DPC and approved for promotion with effect from 1.7.92. He was informed by the impunged letter dated 20.4.92 that promotion is only with effect from 1.7.92 and not earlier.

1.8.91 and 1.7.92

3. This OA is filed for granting him promotion with effect from 1.8.91 and for the consequential relief.

4. As stated earlier, the applicant was not promoted with effect from 1.8.91 as he was not found fit by the DPC for promotion with effect from that date. However, he was promoted with effect from 1.7.92.

5. We have called for the DPC proceedings which considered him for promotion with effect from 1.8.91. It is seen from the proceedings that for the year 1986-87, his performance was not satisfactory. In the year 1987-88 his increment was withheld for two years without cumulative effect for lack of devotion to duty. In the year 1989-90 it is stated that his salary was attached due to indebtedness. For the above reasons, the DPC found him unfit for promotion with effect from 1.8.91.

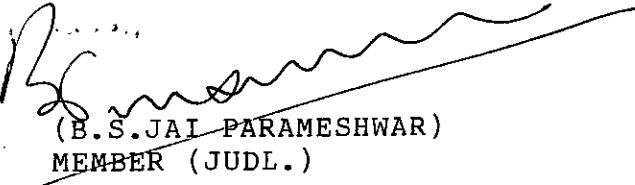
6. When the DPC after going through his service records had come to the conclusion that he was not a fit person to be promoted with effect from 1.8.91, we cannot sit on the judgement of the DPC without any reason. In

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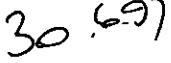
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view of that, we have no alternative except to accept the decision of the DPC.

6. In view of the foregoing, the OA is dismissed as having no merits. No order as to costs. (The DPC proceedings were perused and returned back).

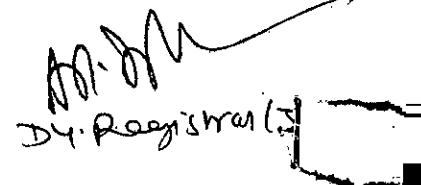

(B.S.JAI PARAMESHWAR)
MEMBER (JUDL.)


(R.RANGARAJAN)
MEMBER (ADMN.)

 30/6/97

DATED: 30th June, 1997
Dictated in the open court.

vsn


Dr. Registrar

17/7/97
(6)

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN: M(A)

AND

THE HON'BLE SHRI B.S. JAI PARAMESHWAR: M
(J)

DATED

30/6/97

ORDER/JUDGEMENT

M.A./R.A/C.A. NO.

O.A. NO.

*in
84.1/97*

Admitted and Interim directions
Issued.

Allowed

Disposed of with directions,

Dismissed

Dismissed as withdrawn

Dismissed for default

Ordered/Rejected.

No order as to costs.

YLKR

II Court.

केन्द्रीय प्रशासनिक अधिकारण
Central Administrative Tribunal
प्रेषण/DESPATCH

16 JUL 1997

हैदराबाद न्यायालय
HYDERABAD BENCH