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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

R.A. 34/98 in O.A.118/97. &

~~O.A. 118/97.~~ - - - - -

Dt. of Decision : 7-8-98.

D.Viswanatha Raju

.. Applicant.

Vs

1. The Scientific Advisor to Raksha
Rajya Mantri & Director General,
DRDO, Min. of Defence, New Delhi.
2. The Director, Naval Science and
Technological Laboratory,
Visakhapatnam.
3. The Director (Pers),
Assessment Centre, Govt. of India,
Min. of Defence, Metcalf House,
New Delhi.

.. Respondents.

Counsel for the applicant : Mr.S. Lakshma Reddy

Counsel for the respondents : Mr.K.Ramulu, Asst.CGSC.

CORAM:-

THE HON'BLE SHRI R. RANGARAJAN : MEMBER (ADMN.)

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

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ORDER

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


Heard Mr. S. Lakshma Reddy, learned counsel for the applicant and Mrs. Rukamani for Mr. K. Ramulu, learned counsel for the respondents.

2. In the OA the dispute is in regard to the date of promotion of the applicant to the posts of Assistant Foreman and Foreman. The applicant submits in this OA that Sri T. Ajaykumar and some others are juniors to him ^{even} in the grade of Chargeman-Gr-I even after revising the seniority list on the basis of the judgement in OA.600/91 on the file of the Bangalore Bench of this Tribunal. Hence, the judgement in ^{the} OA needs revision.

3. A study of the prayer will show that the applicant is senior and his juniors should not be promoted superseding him and hence the date of promotion should be prepared on par with his juniors. That OA was disposed of affirming that the seniority has to be prepared in accordance with the judgement of the Bangalore Bench of this Tribunal referred to above. The judgement in no way debars the applicant from getting promotion from the date his juniors were promoted on the basis of their revised seniority in accordance with the judgement of the Bangalore Bench. Hence, we are of the opinion that the judgement in the OA needs no revision as it ⁱⁿ no way robs off the promotion of the applicant if some of his juniors were promoted earlier to him on the basis of the revised seniority to the cadre of Assistant Foreman and Foreman.

4. In view of the above, the applicant is at liberty to submit a detailed representation if such a situation exists for considering his case also for promotion to the post of Asst. Foreman and Foreman on par with his juniors as per revised seniority.

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If such a representation is received the respondent's authorities are bound to examine that representation and take suitable decision and advise the applicant suitably. In that view the judgement needs no revision but the representation as stated above should be disposed of in accordance with the rules ^{to} ~~the~~ ^{after} examining ^{the} ~~the~~ applicant the case and if ~~is~~ found eligible for consideration for promotion on that basis the judgement will not stand in ~~their~~ ^{his} way ~~for~~ ^{being} promoted accordingly.

5. The representation if any, submitted should be disposed of within 3 months from the date of receipt of that representation.

6. The RA is disposed of. No costs.


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

7/8/98


(R. RANGARAJAN)
MEMBER (ADMN.)


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Dated : The 7th August, 1998.
(Dictated in the Open Court)

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