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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

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O.A.1140/97.

Dt. of Decision : 06-04-99.

Smt. M.Girija Kumari

.. Applicant.

Vs

1. The Director General,  
Indian Council of Agricultural  
Research, Krishik Bhawan,  
New Delhi-110 012.

2. The Project Director, Project  
Dorectorate on Poultry,  
Rajendranagar, Hyderabad.

3. The Project Director, Dorectorate  
of Rice Research, Rajendranagar,  
Hyderabad.

.. Respondents.

Counsel for the applicant : Mr.K.Venkateswara Rao

Counsel for the respondents : Mr.N.R.Devaraj, Addl.CGSC.

CORAM:-

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

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

R

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ORDER

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

Heard Mr.K.Venkateswara Rao, learned counsel for the applicant and Mr.N.R.Devaraj, learned counsel for the respondents.

2. The applicant while working in ICAR appear to have been promoted as Superintendent (A&A) and deputed to work elsewhere in the same organisation from 20-11-92 to 9-1-95. By office order No.F.No.2-30/Adm./97-98/86 dated 4th June, 1997 (Annexure-III) her/ services for the period from 20-11-92 to 9-1-95 was declared as permanent/regular service. In the service register the following remark has been made:-

"As per Memo No.2-248/93-Admn.I dated 9-1-95 and O.O.No.2-248/89-Per., dated 3-5-95 from 10-01-95(FN) to 29-04-95 (AN) as Superintendent (A&A) are on regular basis."

But the memo and the office order mentioned in the above extracted portion <sup>ve</sup> has not been produced.

3. The applicant had already been promoted as Assistant Finance & Accounts Officer in the ICAR organisation. But she submits that on completion of 3 years as Supdt., (A&A) she should have been given the post of Assistant Finance & Accounts Officer. As that was not given she has filed this OA.

4. This OA is filed for a declaration that the applicant is entitled for promotion as Assistant Finance & Accounts Officer w.e.f.. 1-12-95 on completion of 3 years of regular service as Superintendent (A&A) in the existing vacancies consequent on her regularisation as Superintendent (A&A) vide Lr.No.F.No.2-30/Adm/97-98/861 dated 4-6-97 issued by the Directorate of Rice

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Research, Rajendranagar, Hyderabad, read with office order F.No.1-38/92-ESTT/1801 dated 9-12-96 whereby it was decided against to adjust her case/the vacant post as Superintendent (A&A) w.e.f., 1-12-96 issued by the Project Director, Project Directorate on Poultry, Rajendranagar, Hyderabad with all consequential benefits such as seniority, pay and allowances and another attendant benefits by holding that the ~~maximum~~ case of the applicant was not shown as promoted as above in the guise of Lr.F.No.272/95-ESTT/601 dated 21-6-97 issued by the Director, Project Directorate on Poultry, Rajendranagar, Hyderabad is illegal, arbitrary and discriminatory.

5. A reply has been filed in this OA. But the whole case has to be decided on the basis of the letters issued to her every now and then in regard to ~~the~~ her promotion as Superintendent (A&A) and the benefits that accrued to her on that basis. As stated earlier the applicant had not filed the letters No.2-248/93-Admn.I dated 9-1-95 and O.O.No.2-288/89-Per. dated 3-5-95, which <sup>ve</sup> has been indicated in the extracted portion of the service register. In our opinion the case is not complete. When we questioned the learned counsel for the applicant as to why those letters are not included in the OA affidavit, the applicant fairly submitted it has to be included. But for some reasons it was not included. Hence, in that context we feel to give any positive direction on the basis of the contention in this OA may not be appropriate without perusing the relevant documents in this connection. In that view we feel that the justice will be met if the applicant is permitted to file a detailed representation to R-1 ~~xxx~~ for considering her case for promotion to the post of Assistant Finance & Accounts Officer w.e.f., 1-12-95. If such a representation is received the said

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authorities should decide the case and advise her suitably within a period of 3 months from the date of receipt of that representation.

6. In the result the following direction is given:-

The applicant should submit a detailed representation to R-1 for considering her for promotion as Assistant Finance & Accounts Officer w.e.f., 1-12-95. If such a representation is received the same should be decided within a period of three months from the date of receipt of a copy of that representation.

7. The OA is disposed of. No costs.

B.S.JAI PARAMESHWAR

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

R. RANGARAJAN

(R. RANGARAJAN)  
MEMBER(ADMN.)

Dated : The 06th April, 1999.-  
(Dictated in the Open Court)

Amby  
2nd

spr

Copy to:

1. HDHN
2. HHRP M(A)
3. HBSJP M(J)
4. D.R. (A)
5. SPARE

1ST AND 2ND COURT

TYPED BY  
COMPARED BY

CHECKED BY  
APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH : HYDERABAD.

THE HON'BLE MR. JUSTICE D.H. NASIR:  
VICE CHAIRMAN

THE HON'BLE MR. H. RAJENDRA PRASAD:  
MEMBER (A)

THE HON'BLE MR. R. RANGARAJAN  
MEMBER (A)

THE HON'BLE MR. B. S. JAI PARAMESWAR  
MEMBER (J)

DATED: 6-4-99

ORDER/JUDGEMENT

MA./RA./CP. NO:

IN

D.A. NO. 1140/97

ADMITTED AND INTERIM DIRECTIONS  
ISSUED.

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

SRR

(Copies)

