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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

ORIGINAL APPLICATION NO. 575 OF 1999

DATE OF ORDER : 22.9.2000

Between:-

P.N. Vijayakumar

...Applicant

AND

1. The Chairman, Telecom Commission, New Delhi.
2. The Chief General Manager, Telecom, A.P. Circle, Hyderabad.
3. S. Krishnaprasad, Sub-Divisional Engineer, Office of the Telecom District Manager, Nizamabad.

...Respondents

COUNSEL FOR THE APPLICANT : Mr K. Venkateswara Rao

COUNSEL FOR THE RESPONDENTS : Mr V. Rajeswara Rao, Sr CGSC

CORAM

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

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

(Order per Hon'ble Shri R.Rangarajan, Member (A)).

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(Order per Hon'ble Shri R.Rangarajah, Member (A)).

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Heard Sri K.Venkateshwar Rao, learned counsel for the applicant and Sri V.Rajeshwar Rao, learned standing counsel for the Respondents. Sri Raghukumar, Law Officer was present and produced the selection records.

2. The applicant in this OA was JTO who was laterally promoted but was not promoted to TES Group-B in the DPC which was communicated to him by impugned letter dated 29.10.1998 by CGM, AP Circle, Hyderabad.

3. This OA is filed to set aside the impugned letter dated 29.10.1998 and for a consequential direction to the respondents to promote him to TES Group-B on par with his juniors.

4. In the reply it is stated that the applicant was considered for promotion but he was not found fit for promotion. As to verify the same we have called for the DPC proceedings as well as the CRs of the applicant.

5. We have perused the above documents.

6. In the DPC proceedings the statement showing that the applicant is unfit for promotion is not mentioned anywhere. It is stated that the list containing the names of candidates found unfit. Hence the mere statement of the respondents cannot be taken note of. We have perused the CRs. In our opinion the gradings given in CRs have not been perused properly by the DPC as we have found that the applicant got 'Good' and 'Very Good' CRs. In that view, we find that the DPC has not scrutinised the

CRs thoroughly and hence the submission of the applicant has to be accepted.

7. In view of the above, the respondents are directed to review the case of the applicant for promotion to the post of TES Group-B by a fresh review committee for considering his fitness for promotion on par with his juniors who are promoted on the basis of the DPC held in October, 1998, within a period of two month's from the date of receipt of a copy of this order.

8. Original Application is ordered accordingly. No order as to costs.


(B.S.JAI PARAMESHWAR)
Member (J)
22.9.2000


(R.RANGARAJAN)
Member (A)

Dated: 22nd September, 2000.
Dictated in Open Court.

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10/10/00

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH: HYDERABAD

COPY TO:-

1. HONORABLE CHIEF JUSTICE
2. MR. J. R. RANGARAJAN MEMBER
3. HONORABLE MR. JUSTICE DR. NASIR VICE CHAIRMAN
4. D.R. (ADMIN)
5. SPARE
6. ADVOCATE
7. STANDING COUNSEL

1ST AND 2ND COURT

TYPED BY COMPARSED BY CHECKED BY APPROVED BY

THE HONORABLE MR. JUSTICE DR. NASIR VICE CHAIRMAN

THE HONORABLE MR. J. R. RANGARAJAN MEMBER (ADMIN)

THE HONORABLE MR. DR. JAI PARAMESHWAR MEMBER (JUDL)

DATE OF ORDER - 22/9/2001

MA/RE/CP.NT

IN
DA. NO. 575/99

ADMITTED AND INTERIM DIRECTIONS ISSUED

ALLOWED

C.P. CLOSED

R.A. CLOSED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDER/REJECTED

NO ORDER AS TO COSTS

केन्द्रीय प्रशासनिक आदाकरण
Central Administrative Tribunal
प्रेषण / DESPATCH

16 OCT 2000

हैदराबाद आयोगी
HYDERABAD BENCH