

C. A. T. Bench, JAIPUR

Date of Order

RA-40/93

Orders

8-7-93

I have gone through the RA-40/93 in OA-127/93. The prayer is that since promotion as JTO is a pre-condition for phase-2 training, our order dated 18.3.1993 should be modified to the extent that the respondent applicant is not eligible for participation in phase-2 training. These points were raised during the course of arguments as is clear from the order dated 18.3.1993. A categorical statement was made by the learned counsel for the applicant that his client has been temporarily posted as JTO for field training and on this basis he had requested that his client may be allowed to go for phase-2 training. The appointment letter was dated 5.2.93 and the chargesheet was issued much later. However, this court took into account the fact that a chargesheet has since been issued and on that basis refrained from passing any order regarding promotion of the applicant as JTO. However, it did provide for allowing the applicant to complete phase-2 training giving the respondents a free hand to take a decision regarding his promotion on the basis of the result of the departmental inquiry.

In view of the above, the review petition is liable to be rejected. The order of the Tribunal regarding phase-2 training should be implemented and the respondents to take a decision thereafter regarding the promotion of the applicant on the basis of the result of the departmental inquiry.

B. N. Dhoundiyal
(B. N. Dhoundiyal)
Member (A)

Hon'ble V.C.
Jodhpur Bench

*only sent to the
app. counsel & not
an order 5068 to 5069*

Date 29-7-93