

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

Date of Decision: 16.1.95

OA 105/93

M.D. Balani, R.N. Chaudhary,
R.L. Soni and N.L. Khandelwal

... Applicants.

V/s.

Union of India & Others

... Respondents.

CORAM:

HON'BLE MR. GOPAL KRISHNA, MEMBER (J).

HON'BLE MR. G.P. SHARMA, MEMBER (A).

For the Applicants ... SHRI K.S. SHARMA.

For the Respondents ... SHRI U.D. SHARMA.

PER HON'BLE MR. GOPAL KRISHNA, MEMBER (J).

Applicants M.D. Balani, R.N. Chaudhary, R.L. Soni and N.L. Khandelwal have filed this application u/s 19 of the Administrative Tribunals Act, 1985, praying that they be posted in the Accounts line by giving them IInd Time Bound Promotion. They have further prayed that they should also be given the job of responsibility in the Accounts line and that they should not be disturbed from the Accounts line in the name of IInd Time Bound Promotion on completion of 26 years of service without calling their options.

2. We have heard the learned counsel for the parties.

3. The Shorn of details, the case of the applicants is, that they passed a departmental examination and were posted as Accountants by giving them special pay in lieu of higher cadre. They were also given higher responsibilities and better skilled job of Accountants while giving them first promotion on the completion of 16 years of service. As a result of IInd Time Bound Promotion they were given an opportunity to choose between the Accounts line and the general line. But while giving the IInd Time Bound Promotion on completion of 26 years of service they were not asked to exercise any option by the respondents and relieved for the general line, which is against the principles of natural justice. The respondents have

categorically stated in their reply that the officials promoted to the next higher grade under the Biennial Cadre Review Scheme have the Circle transfer liability. The entire matter has since been reconsidered and consequently applicants nos.1 and 2 have been posted as APM Accounts. Applicant No.4 has also been posted as ^{an} Accountant. These orders have been issued vide Annexures R-1, R-2 and R-3. It has also been stated that the Applicant No.3, Shri R.L. Soni, has been ^{given} assurance that he shall be posted as Accountant/APM Accounts against any such post shortly in the Circle. In the circumstances, the grievances of the applicants have already been redressed and they do not survive any longer.

4. This application, having become infructuous, is dismissed. No order as to costs.

(O.P. SHARMA)
MEMBER (A)

G. Krishna
(GOPAL KRISHNA)
MEMBER (J)