

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR
BENCH, JAIPUR.

O.A. No.446/92

Date of order: 17.2.93

Paras Mal Chhabra

: Applicant

Vs.

Union of India & Ors. : Respondents

Mr. Surendra Singh : Brief Holder of Mr. M.S. Gupta
counsel for applicant.

Mr. N.K. Jain/V.K. Jain : Counsel for respondents.

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Hon'ble Mr. Justice D.L. Mehta, Vice Chairman

Hon'ble Mr. B.B. Mahajan, Member (Adm.).

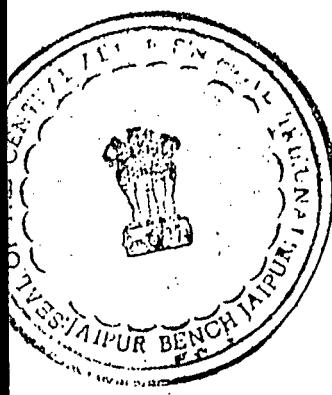
PER HON'BLE MR. B.B. MAHAJAN, MEMBER (ADM.).

Paras Mal Chhabra, has filed this application under Sec. 19 of the A.Ts Act for his promotion to the post of Income Tax Officer on the basis of the recommendation of the DPC held in the year 1981. It is admitted by the respondents that the meeting of DPC was held on 19.5.81 and its decision in regard to the applicant was kept in the sealed cover. No charge sheet was pending at that time against the applicant. The charge sheet was served on the applicant on 22.7.81. The disciplinary proceedings arising out of the charge sheet have since been finalised and the punishment of Censure was imposed vide order dated 21.3.83.

2. Since no charge sheet was pending against the applicant when the DPC considered his case on 19.5.81, the decision of the DPC to keep the recommendations in regard to the applicant in sealed cover was not justified. Since the proceedings have also been finalised in the month of March 83, and punishment of only Censure has been imposed on the applicant.

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we direct that the recommendations of the DPC in the sealed cover be opened and in case the applicant has been found suitable for promotion by the DPC he shall be promoted from the same date on which his junior was promoted on the basis of the recommendations of that DPC, with all consequential benefits. Parties to bear their own costs. With these directions, the O.A. is disposed of.



SD-
(B.B. Mahajan)
Member (Adm.).

SD-
(D.L. Mehta)
Vice Chairman.

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Section Officer (Judicial)
Central Administrative Tribunal
JAIPUR BENCH, JAIPUR

Attested
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