

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

DATE OF ORDER : 29.01.02

OA No. 70/1997

Ved Prakash Ojha son of Shri Inder Deo, aged about 38 years, resident of 4/21, Diggi Mohalla, Beawar, presently posted as Postal Assistant Beawar Post Office, Beawar (Rajasthan).

....Applicant.

VERSUS

1. Union of India through Secretary to the Government of India, Department of Posts, Ministry of Communication, New Delhi.
2. Chief Post Master General, Rajasthan Circle, Jaipur.
3. Post Master General, Rajasthan Southern Region, Ajmer.
4. Director, Postal Services, Southern Region, Ajmer.
5. Superintendent of Post Offices, Beawar Postal Division, Beawar.

....Respondents.

Mr. C.B. Sharma, Counsel for the applicant.

Mr. B.N. Sandhu, Counsel for the respondents.

CORAM

Hon'ble Mr. S.K. Agarwal, Member (Judicial)

Hon'ble Mr. H.O. Gupta, Member (Administrative)

ORDER

PER HON'BLE MR. H.O. GUPTA, MEMBER (ADMINISTRATIVE)



The applicant is aggrieved of the orders dated 5.9.1994 (Annexure A-1) and of 11th November, 1994 (Annexure A-2) whereby he has been informed that he was not found fit under the Time Bound One Promotion (TBOP) <sup>Scheme</sup> by the DPC held on 7.6.1994. In relief, he has prayed for quashing the said orders and also for a direction for considering his case afresh on the basis of service record upto 1993 without taking into account minor punishments which have already been over and to accord him higher pay scale w.e.f. 24.3.94 as per the scheme with all consequential benefits, on various grounds stated in the application.

2. The respondents have contested this application. The applicant has not filed rejoinder.

3. Heard the learned counsel for the parties and perused the record.

3.1 The respondents have taken a plea of limitation on the ground that his representation was finally rejected on 11.11.1994 and this application has been filed in February, 1997. We find force in this contention of the respondents. We also find from the record that there is no application for condonation of delay.

3.2 The respondents have further submitted that the applicant was duly considered by the DPC held on 7.6.1994 on completion of 16 years of service under the TBOP Scheme. The DPC did not recommend the candidature of the applicant and

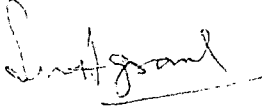
accordingly he was not given higher pay scale w.e.f. 24.3.94. The respondents have also submitted that the DPC was again held in July, 1995 and April, 1996 but the applicant was not found fit by the DPC and accordingly he could not be promoted under the TBOP Scheme which specifically provides that promotion is to be accorded only when DPC finds the employee fit for promotion. The respondents have further submitted that the applicant was not found fit by the DPC due to his unsatisfactory record of service.

4. In view of the said submissions of the respondents, we do not think that the case requires any judicial interference. We are also informed by the learned counsel for the respondents that the applicant has been promoted to the pay scale of Rs. 4500-7000 under TBOP Scheme w.e.f. 1.4.1998 vide their Memo No. B2/13/TBOP dated 15.2.1999.

5. In view of above discussions, this OA is devoid of merit as <sup>well as</sup> time barred and accordingly it is dismissed with no order as to costs.

  
(H.O. GUPTA)

MEMBER (A)



(S.K. AGARWAL)

MEMBER (J)