

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

O.A.No.407/99

Date of order:31.08.1999

Panchu Lal Tanwar S/o Shri Dhanna Ram aged about 54 years presently working as L.S.G. P.A. O/o Chief Post Master General, Rajasthan Circle, Jaipur.

...Applicant

Vs.

1. Union of India through the Secretary, Department of Posts, Ministry of Communications, New Delhi.
2. The Chief Postmaster General, Rajasthan Circle, Jaipur.

...Respondents.

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

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CORAM:

Hon'ble Mr.Gopal Krishna, Vice Chairman

Hon'ble Mr. N.P.Nawani, Administrative Member

ORDER

Per Hon'ble Mr. Gopal Krishna, Vice Chairman

In this application under Section 19 of the Administrative Tribunals Act, 1985, applicant, Panchu Lal Tanwar, has prayed for a direction to the respondents to promote him to the higher scale of Rs. 5000-8000 w.e.f. 1.1.1999 i.e. from the date a person junior to him was promoted vide Ann.A5. The applicant has also claimed all consequential benefits including arrears of pay and allowances.

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

3. The case of the applicant is that he was initially appointed as Mailman. Thereafter, he became Sorter and subsequently he was promoted as Upper Division Clerk after passing the Departmental Examination on 24.11.1974 and 19.02.1982 respectively. While working as U.D.C. he was designated as Postal Assistant in the year 1993. On completion of 16 years of service, the applicant was granted higher scale and promoted to the Lower Selection Grade w.e.f. 26.06.1993. As per the extension of Time Bound One Promotion Scheme and Biennial Cadre Review (Second Promotion) to Group'C' staff of administrative offices (Circle Offices) in the Department of Posts, officials completing 26 years of service are to be granted second promotion in the next higher

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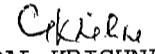
grade but seniors like the applicant were ignored for the reason that they had not completed 26 years of service. The contention of the applicant is that since Shri Damodar Lal Sharma, a person junior to him was granted the next higher scale of Rs. 5000-8000 w.e.f. 1.1.1999, he is also entitled to the same benefit w.e.f. 1.1.1999 i.e. the date from which his junior Shri Damodar Lal Sharma was granted the next higher grade.

4, The learned counsel for the applicant has drawn our attention to the applicant's representation dated 5.4.99 which is still pending consideration. The applicant's counsel wants the representation to be decided on merits.

5. The present application is, therefore, disposed of with a direction to respondent No.2 to decide the applicant's representation dated 5.4.99 at Ann.A9 by a detailed speaking order on merits within a period of two months from the date of receipt of a copy of this order. Let a copy of the OA and annexures thereto be sent to respondent No.2 alongwith a copy of this order. The applicant is, however, free to file a fresh OA, if he is aggrieved by the decision on his representation.


(N.P. NAWANI)

Adm. Member


(GOPAL KRISHNA)

Vice Chairman