

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR

O.A.No.150/2000

Date of order: 11.7.2000

G.K.Bhawanani, S/o Sh.B.H.Bhawanani, working as LDC,
Atomic Mineral Division, NWR, Jaipur.

...Applicant.

Vs.

1. Union of India through the Secretary to the Govt,
Mini. of Atomic Energy, New Delhi.
2. Director (P&A) Heavy Water Board, 5th Floor, VSB,
Anu Shakti Nagar, Mumbai.
3. General Manager, Heavy Water Plant (Kota) Deptt. of
Atomic Energy, Anu Shakti, Kota.
4. Administrative Officer, Deptt of Atomic Energy,
Atomic Mineral Divn, Geeta House, C-31, Dev Nagar,
Tonk Road, Jaipur.
5. Smt.Amarjeet Kaur, UDC, Heavy Water Plant(Kota), P.O
Anushakti, Kota.

...Respondents.

Mr.Y.K.Sharma : Counsel for applicant

Mr.Sanjay Pareek : for respondents.

CORAM:

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

Hon'ble Mr.A.P.Nagrath, Administrative Member.

PER HON'BLE MR S.K.AGARWAL, JUDICIAL MEMBER.

In this O.A filed under Sec.19 of the ATs Act, 1985,
the applicant makes a prayer to direct the respondents to
consider the name of the applicant for promotion on the post
of UDC w.e.f. 1.12.95 with all consequential benefits.

2. In brief, the case of the applicant is that Smt.
Amarjeet Kaur who was junior to the applicant was promoted
on the post of UDC w.e.f. 1.12.95 vide order dated 22.5.99

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without considering the name of the applicant for promotion whereas the applicant was on the roll of HWP Kota, working as LDC till he was transferred vide order dated 29.12.97. The applicant made representation to the respondents but with no result. Therefore, the applicant filed this O.A for the relief as above.

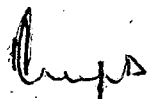
3. Reply and rejoinder have been filed which are on record.

4. We have heard the learned counsel for the parties and also perused the whole record.

5. In view of the fact that the applicant has not been considered by the DPC ^{which} met for promotion of UDC w.e.f. 1.12.95, whereas the applicant was very much in service as LDC, HWP Kota and junior to the applicant Smt.Amarjeet Kaur was considered and given promotion on the post of UDC w.e.f. 1.12.95, Therefore, the applicant is also entitled to be considered for promotion on the post of UDC w.e.f. 1.12.95, with all consequential benefits.

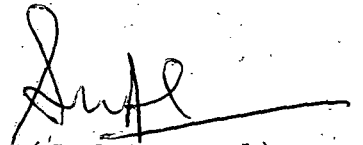
6. In view of above, we allow the O.A and direct the respondents to hold a review DPC, within a period of 3 months from the date of receipt of a copy of this order, to consider the candidature of the applicant for promotion on the post of UDC w.e.f. 1.12.95 and if he is found fit he may be promoted w.e.f. 1.12.95. The applicant shall also be entitled to all consequential benefits after his promotion as UDC.

7. No order as to costs.



(A.P.Nagrath)

Member (A).



(S.K.Agarwal)

Member (J).