

CENTRAL ADMINISTRATIVE TRIBUNAL  
JAIPUR BENCH : JAIPUR

Date of Decision : 16.03.2004

Original Application No.330/2003.

Ajay Singh aged 46 years, son of Shri Sher Singh Chittora, Resident of Chittora House, E-24, Durga Marg, Bani Park, Jaipur.

... Applicant.

v e r s u s

1. Union of India through Secretary, Ministry of Personnel, Public Grievances & Pensions, Department of Personnel & Training, Government of India, New Delhi.
2. State Government of Rajasthan, through the Chief Secretary, Government Secretariat, Jaipur.
3. The Secretary, Department of Personnel, Government of Rajasthan, Secretariat, Jaipur.
4. Union Public Service Commission, through Secretary, Dholpur House, New Delhi.

... Respondents.

Mr. Haarswardhan Nanda Proxy counsel for  
Mr. G. K. Garg counsel for the applicant.  
Mr. S. K. Agarwal Proxy counsel for  
Mr. Sanjay Fareek counsel for respondent No. 1 & 4.  
Mr. U. D. Sharma counsel for respondent No. 2 & 4.

CORAM

Hon'ble Mr. M. L. Chauhan, Judicial Member.  
Hon'ble Mr. A. K. Phandari, Administrative Member.

: O R D E ' R (ORAL) :

The applicant has filed this OA thereby praying for the following reliefs :-

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(i) to order that whenever the Review Board of 1995 meets in order to give effect to the judgment in the case A. K. Bhandari, H. C. Sharma and Jagdish Chandra, quoted above, the applicant's case may also kindly be considered and further it may be directed to promote the applicant with all consequential benefits.

(ii) Any other appropriate order or direction, which this Hon'ble Tribunal deems fit and proper in the facts and circumstances of the present case, may also be passed in favour of the petitioner."

2. Notice of this application was given to the respondents. The respondents have filed the reply. In the reply, they have stated the reasons and circumstances under which the Review DPC could not be held. It is further stated in Para 4.2 of the reply affidavit that due to circumstances mentioned in that para it cannot be predicted as to when there will be a possibility of convening the Review Selection Committee. However, it is evident that no meeting is going to be held very shortly, as stated by the applicant. It is further stated in Para 4.3 of the reply affidavit that the respondents have issued a Provisional Seniority List of the R.A.S. Officers as on 1.4.2003, vide the order dated 27.11.2003 which is under the process of finalisation after considering the representations of the affected officers. It is further reiterated in Para 12 of the reply affidavit that as to when the Selection Committee is convened and the case of the applicant for promotion will be considered in respect of the vacancies for the year in which his name will fall in the zone of consideration as per his seniority in the R.A.S.

3. In view of this specific stand taken by the respondents in the reply affidavit, we are of the view that no relief can be granted to the applicant at this

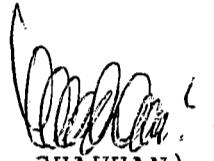
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stage. Accordingly the OA is disposed of. In case the applicant is aggrieved by the final seniority list or any further action of the respondents it will be open for him to ~~apply for~~ <sup>suggillate</sup> before the appropriate forum.

4. With these observations, the OA is disposed of and the Interim Relief granted on 22.07.2003 shall stands vacated.

  
(A. K. BHANDARI)

MEMBER (A)

  
(M.L. CHAUHAN)  
MEMBER (J)

b.c.