

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

O.A.No. 225 of 1998

DATE OF DECISION. 11.8.99.....

Shri Lakeswar Dutta

(PETITIONER(S))

Mr. A.Ahmed

ADVOCATE FOR THE
PETITIONER(S)

-VERSUS-

Union of India & Ors.

RESPONDENT(S)

Mr. A.Deb Roy, Sr. C.G.S.C.

ADVOCATE FOR THE
RESPONDENTS.

THE HON'BLE

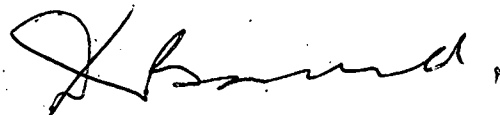
MR. JUSTICE D.N.BARUAH, VICE-CHAIRMAN.

THE HON'BLE

SRI G.LSANGLYINE, ADMINISTRATIVE MEMBER.

1. Whether Reporters of local papers may be allowed to see the Judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the judgment ?
4. Whether the Judgment is to be circulated to the other Benches ?

Judgment delivered by Hon'ble Vice-Chairman



CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No. 225 of 1998.

Date of decision : This the 11th day of August, 1999.

HON'BLE MR. JUSTICE D.N.BARUAH, VICE-CHAIRMAN.

HON'BLE SRI G.L.SANGLYINE, ADMINISTRATIVE MEMBER.

Shri Lakheswar Dutta,
Son of late Ananda Dutta
Junior Engineer (Civil)
Assam Central Circle-1,
Central Public Works Department
Guwahati-1

..Applicant

By Advocate Mr. A.Ahmed.

-versus-

1. Union of India, represented by
the Secretary to the Govt. of India,
Ministry of Urban Development,
New Delhi.
2. The Director General (Works),
C.P.W.D. Nirman Bhawan,
New Delhi-10011.
3. The Chief Engineer(N.E.Z.)
Central P.W.D.
Cleeve8s Colony
Dhankheti,
Shillong-793003
4. The Superintending Engineer,
Assam Central Circle,
Central P.W.D.,
Guwahati-21

....Respondents

By Advocate Mr. A. Deb Roy, learned Sr. C.G.S.C.

O R D E R

BARUAH J.(V.C.)

In this OA the applicant is seeking directions to the respondents to promote the applicant to the post of Assistant Engineer (Civil) with effect from the date when his juniors had been promoted with all consequen-

Contd...

tial service benefits and also for further reliefs as mentioned in paragraphs 8.1 to 8.2. Facts are :
Facts are :

The applicant joined the Central Public Works Department as Junior Engineer in the year 1971. At present he is serving as Junior Engineer (Civil) in the office of the Superintending Engineer, Assam Central Circle. The applicant states that his service was confirmed as Junior Engineer by a letter dated 28.10.1988 with effect from 18.7.1988. As per the Departmental combined seniority list of Junior Engineer (Civil) as on 1990 his position was in serial No. 452. In the years 1992-93 and 1993-94 certain adverse remarks were made in the Annual Confidential Report of the applicant. The said adverse remarks were however expunged by the Supertending Engineer, Assam vide letter dated 23.3.95. The applicant however after the adverse remarks having been expunged was not given promotion. He submitted representation which was not replied to. Hence the present application.

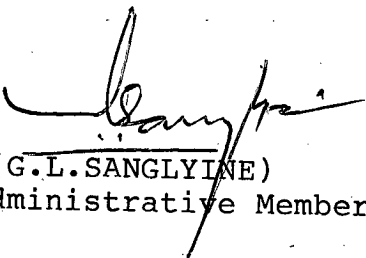
2. We have heard Mr. A.Ahmed, learned counsel appearing on behalf of the applicant and Mr. A. Deb Roy, learned Sr. C.G.S.C. Mr. Ahmed submits that the applicant has since been promoted and at present he is working as Asistant Engineer, Imphal.

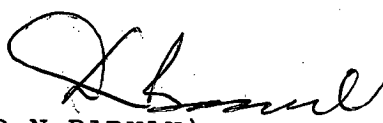
His grievance is that though he was promoted *his* Contd....

His grievance is that though he was promoted his due seniority has not been given. Mr. Ahmed further submits that his seniority should be fixed at least from the date when his juniors had been promoted. Mr. Deb Roy however tries to justify the action of the respondents. He submits that representation had not been disposed of. He further submits that a direction may be given to dispose of the representation. Mr. Ahmed has no objection to the submission of Mr. Deb Roy.

On hearing the counsel for the parties we dispose of this application with direction to the respondents to dispose of the Annexure-5 representation dated 29.7.97 by a reasoned order as early as possible at any rate within a period of two months from the date of receipt of this order.

Considering the facts and circumstances of the case, we, however make no order as to costs.


(G.L. SANGLYINE)
Administrative Member


(D.N. BARUAH)
Vice-Chairman