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CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 168 of 2004

Jabalpur, this the 10th day of March, 2004

Hon'ble Shri M.P. Singh, Vice Chairman
Hon'ble Shri Madan Mohan, Judicial Member

Ashok Kumar Bandopadhyaya,
S/o. Late G.S. Bandopadhyaya,
Aged about 60 years, R/o. Flat
No. 116, Chandrika Parishar,
Behind Gorakhpur Police Station,
Jabalpur.

... Applicant

(By Advocate - Shri V. Tripathi on behalf of Shri S. Paul)

V e r s u s

1. Union of India,
through its Secretary,
Ministry of Defence,
New Delhi.
2. The Chairman, Ordnance
Factory Board, 10-A, SK Bose
Marg, Kolkata.
3. The Union Public Service Commission,
through its Secretary, Dhoulpur
House, Shahjahan Road,
New Delhi.

... Respondents

O R D E R (oral)

By M.P. Singh, Vice Chairman -

By filing this Original Application the applicant has
claimed the following main reliefs :

"(ii) Upon holding that the action of the department in not convening the review DPC for the post of Dy. Director/Works Manager after recasting the seniority on 24.8.1999 is bad in law, command the respondents to forthwith convene a review DPC/consider the case of the applicant qua his juniors mentioned in the original application and promote him with all consequential benefits arising thereto.

(iii) Consequently command the respondents to pay the pay-scale of Dy. Director/Works Manager from 1.4.2003 till his retirement and thereafter fix his pension and retiral dues on the basis of pay-scale attached to the post of Deputy Director/Works Manager including all attendant benefits."

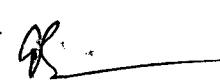
2. The brief facts of the case are that the applicant was working as Junior Works Manager under the respondent No. 2

and was promoted as Assistant Director with effect from 31st August, 1999. According to the applicant he was senior most in the said grade. The applicant was due for next promotion to the post of Deputy Director. However, the respondents while preparing the seniority list of the persons from different streams/trade for promotion to the post of Deputy Director did not take into account his seniority in the post of Assistant Director (Annexure A-2). According to the applicant the respondents have rectified this mistake and assigned the correct seniority to the applicant vide seniority list issued on 15th September, 2003 (Annexure A-5). This has been done after retirement of the applicant. He has therefore requested that the respondents be directed to hold a review DPC to consider his case for the post of Deputy Director. In this regard the applicant has submitted his representation dated 17th January, 2004 which is still pending with the respondents.

2. Heard the learned counsel for the applicant and perused the records.

3. Ends of justice would be met if we direct the respondents to decide the representation of the applicant by passing a speaking, detailed and reasoned order within a period of three months from the date of receipt of copy of this order. We do so accordingly.

4. Original Application stands disposed of accordingly, at the admission stage itself.


(Madan Mohan)
Judicial Member


(M.P. Singh)
Vice Chairman