

2

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

O.A. NO. 59/2003

Ganesh Prasad, Aged about 56 years, S/o. Late Shri T Jharia, R/o. H. No. 1111, J.P. Nagar, Adhartal, Jabalpur (M.P.).

Posted as Office Superintendent, Grade 1, Administrative Branch, Head Quarters, 1STC, Dist. Jabalpur (M.P.).

... Applicant

V e r s u s

1. Union of India,  
Through its Secretary,  
Ministry of Defence, Mantralaya,  
New Delhi.

2. Directorate General of Signals,  
'Sigs 4 (C)', General Staff  
Branch, Army Headquarters, DHQ  
P.O., New Delhi.

3. The Commandant, Mukhyalaya,  
1 Signal Prashikshan Kendra,  
Head quarters 1 Signal Training  
Centre, Dist. Jabalpur (M.P.).

... Respondents

Counsel :

Shri Manoj Dubey for the applicant.

Coram :

Hon'ble Shri Justice N.N. Singh - Vice Chairman.  
Hon'ble Shri R.K. Upadhyaya - Member (Admn.).

O R D E R (oral)  
(Passed on this the 3rd day of February 2003)

The applicant has claimed the following reliefs:-

- a. To quash the impugned order dated 13 December, 2002 (as contained in Annexure A/7);
- b. To order the respondents to hold the B.P.C. and consider the case of the applicant for due promotion;
- c. To restrain the Respondents from harassing him and transferring him elsewhere; and
- d. To order any other relief or reliefs deemed fit and proper in the facts and circumstances of the case.

*Shri Manoj Dubey*

By order dated 13/12/2002 (Annexure A/7) the post of Accounts Officer which was lying vacant has been deemed to be abolished.

2. The learned counsel of the applicant states that the applicant was initially appointed on the post of Store-Man in Central Ordnance Depot, Jabalpur in 1964. In due course he was promoted to the post of Office Superintendent Grade-1 in 1995. Now he is due for promotion as Accounts Officer. He also made a representation as per letter dated 04/02/2002 (Annexure A/2) bringing out to the notice of the respondents that post of Accounts Officer (CGO) was already vacant, therefore he may be considered for promotion. The claim of the learned counsel of the applicant is that no action has been taken by the respondents for promotion of the applicant. On the other hand the impugned order dated 13/12/2002 (Annexure A/7) has been issued by which it has been stated that the post of Accounts Officer being vacant for more than one year is deemed to/ <sup>have</sup> been abolished. The learned counsel claims that the applicant should have been considered for promotion and the respondents be directed to fill up the post now.

3. We have heard the learned counsel of the applicant and have perused the material available on record. By the impugned order dated 13/12/2002 (Annexure A/7) the Army Headquarters Office has informed the respondent No. 3 for initiating action to create the post of Accounts Officer by giving matching savings. In our opinion, no direction is required to be given at this stage, as the matter is under consideration of the respondents and as soon as the post of Accounts Officer is revived the case of the applicant may be considered if he is otherwise found

*Ch. B. S. Jaiswal*

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suitable. At this stage we do not find any justification to interfere. In this view of the matter, this application is rejected at the admission stage itself.

(R.K. UPADHYAYA)  
MEMBER (A)

(N.N. SINGH)  
VICE CHAIRMAN

कृतिकला सं. ओ/व्या..... उत्तरायण. दि.....  
 ये विवेदित विषयों के बारे में निम्नलिखित विवरणों का अनुसार  
 (1) इन विवेदित विषयों के बारे में निम्नलिखित विवरणों का अनुसार  
 (2) इन विवेदित विषयों के बारे में निम्नलिखित विवरणों का अनुसार  
 (3) इन विवेदित विषयों के बारे में निम्नलिखित विवरणों का अनुसार  
 (4) इन विवेदित विषयों के बारे में निम्नलिखित विवरणों का अनुसार  
 सूचिता के अनुसार विवेदित विषयों के बारे में निम्नलिखित विवरणों का अनुसार  
*John Slava*  
 उप सचिव  
 5/2/03

*McCarthy SCCL*

Received  
On 5/2/03  
Cm