

CENTRAL ADMINISTRATIVE TRIBUNAL  
JABALPUR BENCH  
JABALPUR

O.A. No. 797/2003

Jabalpur this the 14th Day of November, 2003

Hon'ble Shri Sarweshwar Jha, Member (A)  
Hon'ble Shri Bharat Bhushan, Member (J)

Harnarayan Malviya  
S/o Shri B.L. Malviya  
Technician Central Farm Machinery Training  
and Testing Institute,  
Tractor Nagar Budhni,  
District Sehore, M.P. ... Applicant

(By Advocate: Shri A.N. Giri)

Versus

1. Union of India,  
Through Secretary Ministry  
of Agriculture,  
Government of India,  
Krishi Mantralaya,  
Krishi Bhawan,  
New Delhi-110 001.
2. The Director,  
Central Farm Machinery Training  
and Testing Institute,  
Ministry of Agriculture,  
Tractor Nagar Post Office,  
Dudhni District Sehore, M.P. ... Respondents

O R D E R (ORAL)

By Hon'ble Shri Sarweshwar Jha, Member (A):

Heard the learned counsel for the  
applicant.

2. It is observed that the applicant has approached this Tribunal with this Original Application for his promotion under Assured Career Progression Scheme (ACP) for which he was considered and not found suitable vide

*[Handwritten signature]* *PS*

the orders of the respondents dated 16.10.2003 in which they have conveyed that the case of the applicant for promotion under ACP will be reviewed after one year.

3. It is further observed that the applicant, after having received the said Memo, has not submitted any representation to the respondents pointing out the facts which he has submitted in this O.A. It is also further observed that the applicant has referred to the Scheme relating to the Assured Career Progression as circulated by the Ministry of Personnel, Public Grievances and Pension (Department of Personnel and Training) on 9.8.1994 and has submitted that he should have been given promotion under ACP as provided for in the Scheme, a copy of which is placed at Annexure A-5.

4. Keeping in view the <sup>facts</sup> /that the applicant has not submitted any representation to the respondents bringing to their notice the facts as he has submitted in this OA, we are, therefore, of the considered opinion that the appropriate course in this regard would be to dispose of this OA at the admission stage itself with directions to the respondents to treat this OA as a representation of the



applicant and to consider and dispose of the same with reference to the instructions in regard to the ACP as submitted by the applicant and other relevant instructions on the subject by issuing a reasoned and speaking order, in accordance with law, within two months from the date of receipt of a copy of this Order.

5. With this, this OA stands disposed of in terms of the above directions, with no order as to costs.

  
(BHARAT BHUSHAN)  
MEMBER (J)

Sarveshwar Jha  
(SARVESHWAR JHA),  
MEMBER (A)

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