

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 633 of 2002

Jabalpur, this the 19th day of August, 2004

Hon'ble Mr. M.P.Singh, Vice Chairman

Hon'ble Mr. A.K. Bhatnagar, Judicial Member

Shri Chironjilal Yadav,
S/o Late Govardhan Prasad,
aged 55 years,
R/o Qr.No.56, Type-II,
SPM Colony,
Hoshangabad, Madhya Pradesh.

APPLICANT

(By Advocate - Jr. to Smt. S.Menon)

VERSUS

1. Union of India,
Through Secretary,
Ministry of Finance,
Department of Economic Affairs,
New Delhi.
2. Joint Secretary (Currency &
Coinage), Ministry of Finance,
Department of Economic Affairs,
Currency Branch, North
Block, Central Secretariat,
New Delhi - 110 001.
3. The General Manager,
Security Paper Mills,
Hoshangabad.
4. Shri R.N. Yadav,
Chargeman (Production),
R/o Qr.No.165, Type A,
SPM Colony, Hoshangabad,
5. Shri A.P. Sarate,
Chargeman (Production),
Opp. MPSEB Office,
Vikram Nagar,
Rasoliya,
Hoshangabad.

RESPONDENTS

(By Advocate - Shri B.da.Silva)

O R D E R (ORAL)

By M.P. Singh, Vice Chairman -

By filing this OA, the applicant has sought a direction to quash an order dated 18.7.02 (Annexure-A-7) and for a further direction to the respondents to consider the applicant for promotion to the post of Chargeman (Production) in the scale of Rs.5000-8000 with all consequential benefits.

[Signature]

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2. The brief facts of the case are that the applicant was appointed as Mazdoor on 16.9.1967, later promoted as Breaker Beater Helper w.e.f. 1.5.68, Junior Chargehand Gr.II w.e.f. 28.12.1972, Checker in General Store w.e.f. 4.12.80 and Machine Attendant Gr.II w.e.f. 13.8.82. The next promotion from the post of Machine Attendant is to the post of Operator Gr.I. The post of machine attendant Gr.II was upgraded to the post of Operator Gr.I in the pay scale of Rs.4500-7000. The next promotion from the post of Operator Gr.I is to the post of Chargeman(production) in the pay scale of Rs.5000-8000 and for considering promotion from the post of operator Gr.I to the post of Chargeman(Production), the essential qualification prescribed is matriculation. The respondents were under the impression that the applicant is a non-matriculate and, therefore, they have promoted the juniors to the applicant, i.e. private respondents, to the post of Chargeman(Production) on adhoc basis vide order dated 13.7.02(Annexure-A-7). Later on, when the applicant represented that he also possessed the essential qualification required for promotion to the post of Chargeman (Production), the respondents realised the mistake committed by them and then accordingly they promoted the applicant during the pendency of the OA w.e.f. 12th April 2003 on regular basis. The apprehension of the applicant is that since juniors to the applicant have been promoted to the post of Chargeman(production)vide order dated 13.7.02, the respondents would show them senior to the applicant in the next seniority list for the post of Foreman.

3. Learned counsel for the respondents states that the private respondents were promoted to the post of Chargeman (Production) only on adhoc basis and now that the mistake has been corrected, the case of the applicant has been recommended for promotion on a regular basis to the post of Chargeman



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(Production) and the seniority list of Chargeman (Production) will be issued by them in accordance with rules and law. With submissions made by the learned counsel for the respondents, we do not find any other issue survives in this OA. However, we direct the respondents that as and when in future they issue a seniority list in the grade of Chargeman (Production), they will keep in mind the points mentioned above and prepare seniority list in accordance with rules and law.

4. In the result with the above observations, the OA is disposed of. No costs.

(A.K. Bhattacharya)
Judicial Member

(M.P. Singh)
Vice Chairman

aa.

प्रांकन सं. ओ/ब्या.....जबलपुर, दि.....
प्रतिविधि दात्री/प्राप्ति:-

- (1) सचिव, उत्तर प्रदेश विधान सभा, दिल्ली, जबलपुर
- (2) विधायक श्री/महिला विधायक, को काउंसल Sw. S. Menon
- (3) पर्यावरण विधायक, को काउंसल B. Ranjan
- (4) विधायक, योजना विभाग, जनरल बोर्ड

सूचना एवं आवश्यक कार्यकारी हेतु

उपर्युक्त दिनांक

Issued
On 16.9.04
B.B.