

23

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH.

CIRCUIT COURT SITTING AT BILASPUR (CHHATTISGARH)

Original Application No. 247 of 2000

Bilaspur, this the 24th day of September, 2003

Hon'ble Shri Justice V.S. Aggarwal, Chairman
Hon'ble Shri Anand Kumar Bhatt, Administrative Member

P.D. Babbre, S/o Shri Dewaji
Babbre, Age about 55 years,
P/R of Village : Bhilewada, Post :
Kardha, Thana/Tahsil/Distt. :
Bhandara.

... Applicant

(By Advocate - Shri S.T.H. Rizvi)

V e r s u s

1. Union of India, Rep, through the Secretary, Deptt. of Communications, Govt. of India, DOP, Dak Bhavan, New Delhi.
2. The Director General, Deptt. of Posts, New Delhi.
3. Chief Postmaster General, M.P. Circle Bhopal.
4. Sr. Supdt. of Post Offices, Durg Dn, Civic Centre, Bhilai.
5. Shri R.K. Maltare, ASP (T), Vidisha.

... Respondents

(By Advocate - Shri P. Shankaran for official respondents)

O R D E R (Oral)

Justice V.S. Aggarwal -

Shri P.D. Babbre by virtue of the present application seeks a direction to consider his claim for promotion to Assistant Supdt. Post Office cadre from 02.06.1995 when his junior was promoted with all consequential benefits.

2. Some of the relevant facts alleged are that the applicant was working at Durg. He is senior to the private respondent No. 5. Private respondent No. 5 was promoted

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earlier on adhoc basis. The applicant claims that he should have been given and offered the said promotion before the private respondent.

3. The petition has been contested.

4. Respondents No. 1 to 4 contended that one post of Assistant Supdt. Post Office was vacant at Bhopal because of adhoc promotion of the incumbent in the grade of PSS Group-B. This short term vacancy was filled up on 2nd June, 1995 on adhoc basis from the senior eligible persons from the feeder cadre from Bhopal Headquarter region. When vacancies occurred on regular basis a panel was drawn and after that the applicant had also been promoted on regular basis.

5. During the course of submissions the learned counsel for the respondents admitted that the applicant has been promoted on regular basis in the year 1996 (5th August, 1996) and is senior to the private respondent No. 5.

6. However the grievance of the applicant is that when adhoc promotion was given to the private respondent the said promotion should have been offered to the applicant.

7. It is well known that adhoc promotion ordinarily would not confer any right to a post to an individual. When the applicant represented, he was informed that adhoc promotion has been given to the private respondent purely on adhoc basis as a local arrangement. He was the senior most eligible person at Bhopal. Therefore adhoc promotion was given to him.

8. In such a situation the civil rights of the applicant has not been affected. The applicant has been regularly promoted and as per the merit list of the appointees he

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remained senior to respondent No. 5 who is not here to contest the petition. Therefore we have no hesitation in concluding that the petition has no merit. The OA is dismissed.

Anand Kumar Bhatt
(Anand Kumar Bhatt)
Administrative Member

V.S. Aggarwal
(V.S. Aggarwal)
Chairman

"SA"

पृष्ठांकन सं ओ/न्या.....जबलपुर, दि.....
यह दिनिक विभाग अधिकारी द्वारा किया गया है।

(1) अधिकारी द्वारा किया गया है। अधिकारी, जबलपुर
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(2) अधिकारी द्वारा किया गया है। अधिकारी, जबलपुर
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(3) अधिकारी द्वारा किया गया है। अधिकारी, जबलपुर
—
(4) अधिकारी द्वारा किया गया है। अधिकारी, जबलपुर
—
सूचना एवं अवश्यक यार्थात् द्वारा

S J H. Rizvi Adm. Officer
& Shankaran, Adm.

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7/10/03
checked
अधिकारी
6/16/03