

**CENTRAL ADMINISTRATIVE TRIBUNAL,  
JAIPUR BENCH, JAIPUR**

**ORIGINAL APPLICATION NO. 455/2007**

Date of Order: 18.10.2010

**CORAM:**

**HON'BLE Dr. K.S. SUGATHAN, ADMINISTRATIVE MEMBER  
HON'BLE Dr. K.B. SURESH, JUDICIAL MEMBER**

Banwari Singh S/o Shri Dharam Singh, By caste Rajput, aged 56 years, R/o BB-14, Jai Ambesy Nagar, Tonk Road, Jaipur, presently working as Junior Engineer (Electrical) in the Department of Posts O/o Executive Engineer, Postal Electrical Division Gandhi Nagar, Jaipur.

....Applicant

Mr. P.N. Jatti, counsel for applicant.

**VERSUS**


1. The Union of India through the Secretary to the Government of India, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.
2. Chief Engineer Civil, South West Zone, 1<sup>st</sup> Floor, RMS Bhawan, GPO, Compound, Mysore Road, Bangalore.
3. Superintending Engineer, Electrical O/o Postal Electrical Circle, Bangalore, 4<sup>th</sup> Floor, GPO, Building, Bangalore.
4. Electrical Engineer, Electrical Division, 1<sup>st</sup> Floor, City Sorting Building, Gandhi Nagar, Jaipur.

....Respondents.

Mr. T.P. Sharma, counsel for respondents.

**ORDER**


**(Per Hon'ble Dr.K.S. Sugathan, Administrative Member)**



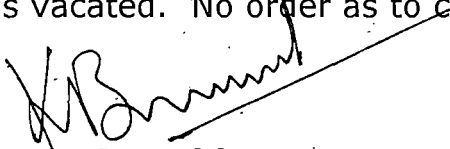
When this matter was taken up for hearing today the learned counsel for the applicant submitted that the respondents had issued a Notification for conducting Departmental

Examination for promotion to the cadre of Assistant Engineer (Civil) and Assistant Engineer (Electrical) on 4<sup>th</sup> and 5<sup>th</sup> January, 2010, but it was postponed by letter dated 29.12.2009 issued by the Office of the Chief Postmaster General, Rajasthan Circle, Jaipur. A copy of the said letter was produced for our perusal. The respondents counsel also submitted that in view of the aforesaid developments, this O.A. can be disposed of by a direction to the respondents to conduct the examination within a stipulated time. The learned counsel did not have any objection to such a direction, except that the direction should merely say that the examination should be conducted expeditiously.

2. We have considered the aforesaid submission of the learned counsels as well as the pleadings on record. The cause of action for this O.A. arose because the respondents were trying to fill some posts of Assistant Engineer by way of promotion, without simultaneously taking steps for filling up the 50% vacancies that are to be filled up through Departmental Examination. Although the respondents have clarified that their intention was to fill up vacancies which are earmarked for the promotion quota only, (50%) they have not been able to explain why no steps were taken to hold the Departmental Examination for filling up the other 50% of the vacancies according to the Recruitment Rules of A/3. In view of the above situation, we are of the considered view that the ends of justice would require the stipulation of a time limit for holding of the Examination which was been postponed by letter dated 29.12.2009.



For the reasons stated above, this OA is disposed of with a direction to hold the Departmental Examination which has been postponed by letter dated 29.12.2009 (Supra) within a period of three months from the date of receipt of copy of this order. Under the circumstances Interim Relief ordered on 20.12.2007 stands vacated. No order as to costs.



**(Dr. K.B. Suresh)**  
**Member Judicial**



**(Dr. K.S. Sugathan)**  
**Member Administrative**

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