

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORDER SHEET

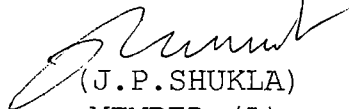
ORDERS OF THE TRIBUNAL

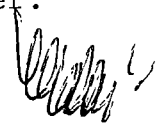
5.3.2008

OAs 64, 65 & 66/2008

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

Heard learned counsel for the applicants.
All the three OAs are disposed of, at admission
stage itself, by a separate common order.


(J.P.SHUKLA)
MEMBER (A)


(M.L.CHAUHAN)
MEMBER (J)

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
JAIPUR BENCH, JAIPUR.

Jaipur, the 5th day of March, 2008

CORAM :

HON'BLE MR.M.L.CHAUHAN, JUDICIAL MEMBER
HON'BLE MR.J.P.SHUKLA, ADMINISITRATIVE MEMBER

1. ORIGINAL APPLICATION NO.64/2008

Sudhir Singh,
Drilling Engnieer (Junior),
O/o Geological Survey of India,
15-16, Jhalana Doongri,
Jaipur.

... Applicant

(By Advocate : Shri P.N.Jatti)

Versus

1. Union of India through
Secretary to the Govt.,
Ministry of Mines,
Shastri Bhawan,
New Delhi.
2. Director General,
Geological Survey of India,
29, Jawahar Lal Nehru Road,
Kolkata.
3. Deputy Director General (Western Region),
Geological Survey of India,
15-16, Jhalana Doongri,
Jaipur.

... Respondents

(By Advocate : - - -)

2. ORIGINAL APPLICATION NO.65/2008

Man Mohan Singh
Drilling Engnieer (Junior),
O/o Geological Survey of India,
15-16, Jhalana Doongri,
Jaipur.

... Applicant

(By Advocate : Shri P.N.Jatti)

Versus

1. Union of India through
Secretary to the Govt.,
Ministry of Mines,
Shastri Bhawan,
New Delhi.
2. Director General,
Geological Survey of India,
29, Jawahar Lal Nehru Road,
Kolkata.
3. Deputy Director General (Western Region),
Geological Survey of India,
15-16, Jhalana Doongri,
Jaipur.

... Respondents

(By Advocate : - - -)

3. ORIGINAL APPLICATION NO.66/2008

S.P.Sanchora,
Drilling Engineer (Junior),
O/o Geological Survey of India,
15-16, Jhalana Doongri,
Jaipur.

... Applicant

(By Advocate : Shri P.N.Jatti)

Versus

1. Union of India through
Secretary to the Govt.,
Ministry of Mines,
Shastri Bhawan,
New Delhi.
2. Director General,
Geological Survey of India,
29, Jawahar Lal Nehru Road,
Kolkata.
3. Deputy Director General (Western Region),
Geological Survey of India,
15-16, Jhalana Doongri,
Jaipur.

... Respondents

(By Advocate : - - -)

ORDER (ORAL)

PER HON'BLE MR.M.L.CHAUHAN

As common question of law and facts is involved in all these three OAs, we propose to dispose of all these three OAs with this common order.

2. In all the three OAs, the applicants have prayed for the following relief :

"8.1 That by a suitable writ order or direction the impugned order dated 20.11.2007 be quashed and set aside.

8.2 That by a suitable writ/order or direction the respondents be directed to restore the rest 20 posts of the Drilling Engineer (Senior) within No time and to conduct the DPC for filling up the posts of the Drilling Engineer (Senior) from the Drilling Engineers (Junior)."

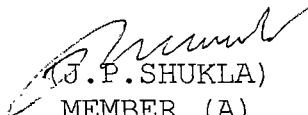
3. We have heard the learned counsel for the applicants. In sum and substance grievance of the applicants is that out of 34 posts of Drilling Engineer (Senior), 18 posts have been reduced by respondent No.2, who is not competent to do so. Thus, according to the learned counsel for the applicants, action of respondent No.2 is highly arbitrary, on account of which right of promotion of the applicants has been adversely affected.


4. We have given due consideration to the submission made by the learned counsel for the applicants. We are of the view that approaching to this Tribunal is not a proper remedy at this stage. In case, respondent No.2 has acted arbitrarily in reducing the aforesaid posts, it is always open for the applicants to approach the higher authority for ventilating their grievances. Thus, without entering into the merit of the case, we are of the view that the ends of justice will be met if a direction is given to the applicants to make representation to respondent No.1 within a period of 15 days thereby ventilating their grievances and in that eventuality

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respondent No.1 is directed to decide the said representation within a period of six weeks from the date of receipt thereof by passing a reasoned and speaking order dealing with all the contentions raised by the applicants.

5. With these observations, the OAs are disposed of, at admission stage itself, with no order as to costs.


(J.P. SHUKLA)
MEMBER (A)


(M.L. CHAUHAN)
MEMBER (J)

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