

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORDERS OF THE BENCH

Date of Order: 16.08.2012

OA No. 539/2012

Mr. V.D. Sharma, counsel for applicant.

The present Original Application has been preferred by the applicant praying that by an appropriate order or direction, the order dated 03.04.2012 promoting him on the post of Chemist may be quashed and set aside to the extent of promoting him on the date of assumption of charge and the promotion order may be treated to be against the vacancies of 2009-2010 qua him as per O.M. dated 24.03.2009 and 11.03.2011 with further prayer that the respondents may be directed to implement O.M. dated 24.03.2009 and 11.3.2011 in the case of Chemist and promote him accordingly with all consequential benefit, and the applicant also prayed that the respondents may be directed to revise his pay scale after granting the benefit of financial upgradation under the ACP Scheme.

2. From bare perusal of the pleadings as well as documents available on record, it reveals that the applicant has submitted a representation dated 15.05.2012 (Annexure A/2) before the respondents, which is still pending consideration before the competent authority. In view of this, we deem it just and proper that the ends of justice would be met if the respondents are directed to consider and decide the representation dated 15.05.2012 (Annexure A/2) by passing a reasoned and speaking order.

3. Consequently, the respondents are directed to consider and decide the representation dated 15.05.2012 (Annexure A/2) and pass a reasoned and speaking order expeditiously but in any case not later than a period of two months from the date of receipt of a copy of this order.

4. If any prejudicial order against the interest of the applicant is passed by the respondents, the applicant will be at liberty to challenge the same by way of filing the substantive Original Application.

5. With these observations and directions, the Original Application stands disposed of with no order as to costs.

Anil Kumar

(ANIL KUMAR)
MEMBER (A)

K.S. Rathore

(JUSTICE K.S. RATHORE)
MEMBER (J)