

**Central Administrative Tribunal
Principal Bench**

**CP No.204/2016
in
OA No.4366/2012**

New Delhi, this the 26th day of September, 2016

**Hon'ble Mr. Justice Permod Kohli, Chairman
Hon'ble Mr. V. N. Gaur, Member (A)**

Darshan Kumar
Retd. Asst. Meteorologist Gr.I,
(aged about 62 years)
S/o Late Bachan Lal
R/o Qtr. No.701, Sector-4,
R. K. Puram,
New Delhi 110 022.

.... Applicant.

(By Advocate : Shri M. K. Bhardwaj)

Versus

1. Dr. M. Nair Rajeevan
Secretary
Ministry of Earth Sciences,
Prithvi Bhawan, Opp. India Habitat Centre,
Lodhi Road,
New Delhi 110 003.

2. Dr. K. J. Ramesh
Director General of Meteorology,
IMD, Mausam Bhawan,
Lodhi Road,
New Delhi 110 003.

... Respondents.

(By Advocate : Shri R. N. Singh
Shri Anup Kr. Saxena, Admn.Officer is present)

: O R D E R (ORAL) :

Justice Permod Kohli, Chairman :

Vide Order dated 28.10.2014, OA No.4366/2012 was disposed of
with the following directions:-

“13. Considering the above discussions and taking into account the facts of the case, we direct the respondents to convene the DPCs for the year 2007-08, 2009-10 and 2010-2011. The respondents need not be reminded that it is trite law that the DPCs will be held in accordance with the recruitment rules as it existed during the vacancy year. The respondents are further directed to take a final decision with regard to the cadre restructuring of the Non-Gazetted staff of IMD at the earliest since the matter has been under consideration for about four years. Both these actions

should be completed by the respondents within a period of three months from the date of receipt of a copy of this order. Accordingly, the OA is disposed of. No costs.”

2. It is mentioned in para 7 of the counter affidavit filed on behalf of the respondents that since the applicant has retired, no promotion can be given to him from retrospective effect. It is, however, admitted that the DPC was convened on 30.10.2015 by UPSC in respect to vacancy year 2010-11, and the applicant was found eligible for promotion.

3. Today, Shri R. N. Singh, learned counsel for the respondents has placed on record copy of a communication dated 22.09.2016 from the office of Director General of Meteorology addressed to him. This communication is accompanied with minutes of meeting of Departmental Promotion Committee held on 30.10.2015. It is stated in this communication that pursuant to the directions of CAT vide order dated 28.10.2014 in OA No.4366/2012, a DPC was held on 30.10.2015 in UPSC for promotion to the cadre of Meteorologist (Grade-I). The DPC recommended the names of applicant and one another Shri B. V. Kurnalli (retd.) for promotion to the cadre of Meteorologist Grade-I for the assessment year 2010-11. The applicant retired on 31.12.2014 and Shri B. V. Kurnalli on 31.12.2012. Both the officers have been found eligible for notional promotion from their due date as per DoP&T OM dated 14.11.2014. It is stated that the file has been sent to the administrative ministry for decision.

4. In view of the submissions contained in the aforesaid letter dated 22.09.2016 and the fact that the Departmental Promotion Committee has recommended name of the applicant for promotion to the cadre of Meteorologist Grade-I, this CP is disposed of with the direction to respondents to complete the process of giving notional promotion to the applicant from due date, and order of promotion along with

consequential benefits may be passed and communicated to the applicant within a period of two months from the date of receipt of copy of this order.

5. With these observations, this CP stands disposed of. Proceedings dropped.

(V. N. Gaur)
Member (A)

(Justice Permod Kohli)
Chairman

/pj/