

**Central Administrative Tribunal
Principal Bench, New Delhi**

OA No.3192/2015

This the 12th day of May, 2016

**Hon'ble Mr. Justice PermodKohli, Chairman
Hon'ble Mr.K.N.Shrivastava, Member (A)**

- 1 Dr.Atindra Kumar Shukla
 Scientist F (Retd.)
 Aged about 60 years,
 S/o. Lt. ShriG.P.Shukla
 R/o M-21, Observatory Compound,
 Lodhi Road, New Delhi-110003.

- 2 Dr.L.KrishnaMurty
 Scientist E (Retd.)
 Aged about 73 years,
 S/o. Late Manikyam
 R/o C-B/2, SFS Flats.Saket,
 New Delhi-110003.

- 3 S.S. Avasthi
 Scientist E (Retd.)
 Aged about70 years,
 S/o. Sh. K.L. Avasthi
 R/o S-3, Amba Apartment, 1/11, Sector-5,
 Rajender Nagar, Sahibabad,
 Ghaziabad.
 Pin.201005

4. PushpenduSarcar,
 Director (Retd.)
 Aged about 75 years,
 S/o. Late Satya Narayan Sarcar
 R/o 59, Shivalik Apartment, Alkananda,
 Lodhi Road, New Delhi-110003.

5. Shiva Shankar Singh
 Scientist F
 Aged about59 years,
 S/o. Late ShriNathiLal
 R/o A-1, East Karbla Lane,
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 Regional Metrological centre India,
 MeteorologiclDept, MausamBhavan,
 New Delhi.

6. Om Prakash Singh
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Aged about 61 years,
S/o. Late ShriAdya Prasad Singh
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J.P.Garden Estate, Mohan Nagar,
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7. Dr. Sunil Kumar Peshin
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Posted At:
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8. Dr.L.D.Agarwal
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9. Satish Bhatia
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10. Dr. R.K. Datta
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- 12 Chatar Singh
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- 13 Vinod Kumar Gupta
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S/o.Late ShriD.M.Gupta
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Gurgoan, Haryana.
- 14 Dal Singh
Scientist E (Retd.)
Aged about 59 years,
S/o.Late Sh. Sukha Singh
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Ghaziabad-201009
15. B.K. Bandopadhyay
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S/o.Late ShriAmiya Narayan Banerjee
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MausamBhavan,New Delhi.
- 16 D.P. Mishra
Scientist F (Retd.)
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New Delhi-22.
- 17 Rajendra Kumar Bakliwal
Scientist D (Retd.)
Aged about 69 years,
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18. B.N. Vishnoi
Scientist E
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- 19 Thakur Prasad
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20. Dr. Ram Vir Sharma
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21. Dr.(Ms) ShyamalaBala Subramanian
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- 23 Dr.ArdhenduBhushanMazumdar
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Aged about 62 years,
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- 32 R.K.Kankane
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- 33 Jadapulagoru Vijaya Mohan Naidu
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34. Varigonda Subrahmanyam
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- 36 Dr. C V Veera Bhadram
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- 37 Dr. R.S. Dattatrayam
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- 38 Dr. M. Satya Kumar
Scientist F (Retd.)
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- 39 G.SudhakarRao
Scientist F (Retd.)
Aged about 60 years,
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- 40 Dr. D.P. Dubey
Scientist E (Retd.)
Aged about 60 years,
S/o. Late Shri C.L. Dubey
R/o I-8, VinayakParisar, G-3,
Gulmohar Colony
Bhopal-462039 Madhya Pradesh
- 41 Dr.ParasharamKishanjiNandankar
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Aged about 56 years
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Posted At: Meteorological Centre,
India Meteorological Department,Nagpur
- 42 P.V. Joseph
Scientist D (Retd.)
Aged about 82 years,
S/o. Late P.P. Vareed
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Gulmohar Colony
Kakanad, Cochin-682030.
- 43 W.B. Gopal
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Aged about 61 years,
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|----|---|-----|------------|
| 44 | <p>G.K. Mohanty
Scientist E (Retd.)
Aged about 61 years,
S/o. ShriJagmohanMohanty
R/o Plot No.44, LaxmiVihar, P.O. Sainik School,
Bhubaneswar,
Dist. Khurda, Odisha. Pin-751005</p> | ... | Applicants |
| 45 | <p>Vinod Kumar
Scientist E (Retd.)
Aged about 62 years,
S/o. ShriShyam Chandra Prasad Singh
R/o ShyamBhawan, Road No.11,
Ashok Nagar, KankarbaghColony
Patna-800020, Bihar.</p> | ... | Applicants |

(By Advocate:ShriM.K.Bhardwaj)

Versus

UOI &Ors.through

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|----|--|------|-------------|
| 1. | <p>The Secretary,
Ministry of Earth Sciences,
PrithviBhawan, IMD Complex,
Lodhi Road, New Delhi-110003</p> | | |
| 2. | <p>The Director General,
India Meteorological Department,
MausamBhawan,
Lodhi Road, New Delhi-110003</p> | | |
| 3. | <p>The Secretary,
Ministry of Science & Technology Bhawan,
Mehrauli Road,
New Delhi.</p> | | |
| 4. | <p>The Secretary
Ministry of Personnel Public Grievance and
Pensions
Department of Personnel & Training
New Delhi.</p> | | Respondents |

(By Advocate: ShriRavinder Kumar Sharma)

ORDER(ORAL)**Hon'ble Mr.JusticePermodKohli**

The applicants have retired as Scientist from different groups in the India Metrological Department (IMD) from time to time. Through the medium of this OA, they are seeking a direction for consideration of their claim for grant of in situ promotion from the date of completion of requisite years of service as prescribed under OM dated 28.5.86 and 09.11.1998 under Flexible Complimentary Scheme (FCS). Shri M.K. Bhardwaj, learned counsel for the applicant submits that the applicants have made various representations. In response to some of representations, the respondents have issued letters dated 17.09.2015 and 01.12.2014(Annexure A-1). In the aforesaid letters, respondents have communicated to the applicant No.34 V.Subramaniamthat the case regarding antedating in situ promotion is under process with the administration ministry and the decision of the competent authority, as and when received, will be duly informed. However, in some of the cases consideration is declined on the ground that they are not party in the court orders.

2. We have heard learned counsel for the parties. The issue regarding granting in situ promotion under FCS in IMD for consideration is under process in the administration Ministry. On enquiry from the learned counsel for the respondents, he is unable to inform whether the process for consideration is completed or not.

3. In view of above circumstances, the OA is disposed of with the direction that the respondents would consider the claim of those who have made representationsbut not yet consideredfor in situ promotion under FCS in

IMD. Such consideration shall be accorded within a period of three months from the date of receipt of a copy of this order. In the event the claim of the applicant is declined the same shall be by a reasoned and speaking order.

(K.N. Shrivastava)
Member(A)

PermodKohli)

Chairman

/rb/