

**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. Krishna Murty
Scientist E (Retd.)
Aged about 73 years,
S/o. Late Manikyam
R/o C-B/2, SFS Flats. Saket,
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- 3 S.S. Avasthi
Scientist E (Retd.)
Aged about 70 years,
S/o. Sh. K.L. Avasthi
R/o S-3, Amba Apartment, 1/11, Sector-5,
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Pin.201005
4. PushpenduSarcar,
Director (Retd.)
Aged about 75 years,
S/o. Late Satya Narayan Sarcar
R/o 59, Shivalik Apartment, Alkananda,
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5. Shiva Shankar Singh
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Aged about 59 years,
S/o. Late ShriNathiLal
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6. Om Prakash Singh
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S/o. Late ShriAdya Prasad Singh
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7. Dr. Sunil Kumar Peshin
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8. Dr.L.D.Agarwal
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9. Satish Bhatia
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- 12 Chatar Singh
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- 13 Vinod Kumar Gupta
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R/o 835, Sect-31,
Gurgoan, Haryana.
- 14 Dal Singh
Scientist E (Retd.)
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S/o.Late Sh. Sukha Singh
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15. B.K. Bandopadhyay
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- 16 D.P. Mishra
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- 17 Rajendra Kumar Bakliwal
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- 19 Thakur Prasad
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- 27 Dr RamaprosadSamui
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- 28 Dr A.L. Kopper
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- 36 Dr. C V VeeraBhadram
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- 37 Dr. R.S. Dattatrayam
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- 38 Dr. M. Satya Kumar
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- 40 Dr. D.P. Dubey
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Aged about 60 years,
S/o. Late Shri C.L. Dubey
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- 41 Dr. Parasharam Kishanji Nandankar
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Aged about 56 years
S/o. Late Mr Kishanji Laxmanrao Nandankar
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- 42 P.V. Joseph
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- 43 W.B. Gopal
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- 44 G.K. Mohanty
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- 45 Vinod Kumar
Scientist E (Retd.)
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S/o. ShriShyam Chandra Prasad Singh
R/o ShyamBhawan, Road No.11,
Ashok Nagar, KankarbaghColony
Patna-800020, Bihar. Applicants

(By Advocate:ShriM.K.Bhardwaj)

Versus

UOI &Ors.through

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

(By Advocate: ShriRavinder Kumar Sharma)

ORDER(ORAL)**Hon'ble Mr.Justice Permod Kohli**

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.Subramaniam that 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 representations but not yet considered for 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)

Permod Kohli)

Chairman

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