

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BANGALORE

ORIGINAL APPLICATION NO. 170/00001/2017

DATED THIS THE 07TH DAY OF AUGUST, 2018

HON'BLE DR. K.B. SURESH, MEMBER(J)

HON'BLE SHRI DINESH SHARMA, MEMBER(A)

Shashikala. N,
W/o Anandakumar Velan,
Aged about 41 years,
Assistant-II (F&A),
Working at NAL, Bangalore-17.
Residing at B-22, F & A, NAL,
Staff Quarters, Kodihalli,
Bangalore-560 017. ..Applicant

(By Advocate Shri Panduranga Nayak)

V/s.

1. The Director of NAL,
Council of Scientific and Industrial Research,
Bangalore-560 017,
2. The Controller of Administration,
NAL, Council of Scientific and
Industrial Research,
Post Bag No.1779,
HAL Airport Road, Kodihalli,
Bangalore-560 017.
3. Nirmala M.S.
Assistant Grade-I,
Council of Scientific and
Industrial Research,
NAL, Bangalore-560 017. ..Respondents

(By Advocate Shri K. Ananda for R 1 & 2)

ORDER (ORAL)HON'BLE DR. K.B. SURESH, MEMBER(J)

We heard both counsel in great detail. The question of fact is very simple. The applicant was denied promotion on the basis of un-communicated adverse remarks.

2. This matter is covered by several Judgments of Hon'ble Apex Court and particularly in Daljit Singh Grewal vs. State of Punjab & ors., reported in 2015 (9) SCC 680. That being so, the impugned orders are quashed and the matter is remitted back to the respondents to grant the benefits to the applicant in terms of the Hon'ble Apex Court order stated above.

3. OA Allowed. No order as to costs.

(DINESH SHARMA)
MEMBER(A)

(DR K.B. SURESH)
MEMBER(J)

vmr.

Annexures referred to by the Applicant in OA.01/2017

Annexure A-1: Copy of the Official Memorandum dated 4.8.2010.

Annexure A-2: Copy of the Official Memorandum dated 26.7.2016.

Annexure A-3: Copy of the Official Memorandum dated 26.7.2016.

Annexure A-4: Copy of the Official Memorandum dated 26.7.2016.

Annexure A-5: Copy of the Official Memorandum dated 12.4.2016.

Annexure A-6: Copy of the Official Memorandum dated 12.4.2016.

Annexure A-7: Copy of the Official Memorandum dated 12.4.2016.

Annexure A-8: Copy of the Official Memorandum dated 12.4.2016.

Annexure A-9: Copy of the Official Memorandum dated 12.4.2016.

Annexure A-10: Copy of representation dated 25.4.2016.

Annexure A-11: Copy of the Official Memorandum dated 8.6.2016.

Annexure A-12: Copy of the Official Memorandum dated 21.7.2016.

Annexure A-13: Copy of the Seniority list of Asst. Grade-II (F&A) dated 1.4.2016.

Annexure A-14: Copy of the Official Memorandum of Administrative Services Recruitment Rules 1982.

Annexures referred to by the Respondents in the Reply

Annexure R-1: Copy of the Official Memorandum dated 9.5.2014.

Annexure R-2: Copies of the Open Annual Performance Appraisal reports of the applicant.

Annexure R-3: Copy of the Official Memorandum dated 11.4.2007.

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