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CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR

ORIGINAL APPLICATION NO. 290/00021/18

JODHPUR, THIS THE 11TH DAY OF JANUARY,

2018
CORAM

HON'BLE MR. R. RAMANUJAM, ADMINISTRATIVE MEMBER
HON'BLE MR. SURESH KUMAR MONGA, JUDICIAL MEMBER

JAGDISH PRASAD SHRINGI S/O SHRI MATHURA LAL SHRINGI, AGED 57
YEARS, RESIDENT OF QR NO. J-30-A, HEAVY WATER PLANT, KOTA,
RESIDENTIAL COLONY, RAWATBHATTA, DISTRICT CHITTORGARH AS SA/F
IN HEAVY WATER PLANT, KOTA.

.....APPLICANT

BY ADVOCATE:- MR VISHAL SINGHAL.

VERSUS

1. UNION OF INDIA THROUGH ITS CHIEF EXECUTIVE, HEAVY WATER BOARD, V.S. BHAWAN, ANUSHAKTI NAGAR, MUMBAI-400094.
2. THE ADMINISTRATIVE OFFICER, HEAVY WATER PLANT (KOTA), ANUSHAKTI-323303.
3. THE GENERAL MANAGER, HEAVY WATER PLANT (KOTA), ANUSHAKTI-323303.
4. SHRI S.V. SINGH, DY. PRODUCTION MANAGER, HEAVY WATER PLANT (KOTA), ANUSHAKTI-323303.

.....RESPONDENTS

ORDER (ORAL)
PER R. RAMANUJAM, MEMBER(A)

HEARD. LEARNED COUNSEL FOR THE APPLICANT SUBMITS THAT THE APPLICANT IS AGGRIEVED BY ANNEX. A/1 ORDER DATED 05.08.2017 WHEREBY HE HAS BEEN MADE RESPONSIBLE FOR OPERATION OF SOLAR STEAM GENERATION PLANT AND SEWAGE TREATMENT PLANT W.E.F. 08.08.2017. HE HAS ALSO BEEN GIVEN THE TASK OF CO-ORDINATION OF DAY TO DAY MAINTENANCE ACTIVITIES OF THESE UNITS AND DIRECTED TO REPORT TO THE DY. PRODUCTION MANAGER.

2. IT IS SUBMITTED THAT THE APPLICANT IS DUE FOR PROMOTION AND AN OA IN THIS REGARD IS PENDING ADJUDICATION IN THIS TRIBUNAL. WHEN HE IS PROMOTED, HE WOULD HOLD THE SAME RANK AS THE PERSON BY WHOM THE IMPUGNED ORDER HAS BEEN SIGNED AND, THEREFORE, THE APPLICANT WAS NOT BOUND SUCH ORDER. THE APPLICANT ACCORDINGLY SEEKS QUASHMENT OF THE IMPUGNED ORDER.

3. WE HAVE CONSIDERED THE MATTER. IT IS NOT THE APPLICANT'S CLAIM THAT THE APPLICANT IS SENIOR TO THE OFFICER WHO ISSUED THE IMPUGNED ORDER. THE DISPUTE REGARDING HIS CLAIM TO BE PROMOTED TO THE RANK OF DY. PRODUCTION MANAGER IS STILL NOT SETTLED. UNTIL HE IS ABLE TO GET RELIEF FROM THIS TRIBUNAL IN THE OA CONCERNED, HE WOULD BE BOUND BY OFFICE DISCIPLINE. ACCORDINGLY, WE SEE NO SCOPE TO INTERFERE WITH THE IMPUGNED ORDER.

4. OA IS MISCONCEIVED AND ACCORDINGLY IS DISMISSED.

(SURESH KUMAR MONGA)

(R. RAMANUJAM)

MEMBER (J)

MEMBER (A)

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