

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

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ORIGINAL APPLICATION NO.170/00881/2017

DATED THIS THE 23<sup>RD</sup> DAY OF OCTOBER, 2018

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

**HON'BLE SHRI C V SANKAR, MEMBER (A)**

Sushil Kumar Goel,  
S/o Om Prakash,  
Aged 46 years, working as  
Junior Translator,  
Office of the Chief Postmaster General,  
Karnataka Circle,  
Bengaluru – 560 001  
and residing at  
No. 116, 6<sup>th</sup> Cross,  
Maruthi Layout, M.S. Palya,  
Vidyaranyapura Post,  
Bengaluru – 560 097

.....Applicant

(By Advocate Shri A.R. Holla)

Vs.

1. Union of India,  
By Secretary,  
Department of Posts,  
Dak Bhavan,  
New Delhi – 110 001

2. The Chief Postmaster General,  
Karnataka Circle,  
Bengaluru – 560 001

....Respondents

(By Shri K. Dilip Kumar, Counsel for the Respondents)

ORDER (ORAL)

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

Heard. The matter is in a very small compass. The applicant while working as Junior Hindi Translator completed 5 years of service on 08.11.2016 and under the extant rules became eligible for promotion as Senior Hindi Translator and apparently he had given a representation to the respondents. The respondents contention is that intra the department some rule change is contemplated and therefore they are not granting it. Even if rules are changed, it can only have a prospective effect as to have a retrospective effect there must be significant reasons present in it. The mere contemplation of a change in rule will not clothe the respondents with a right to deny a legitimate expectation of the applicant which had arisen on 08.11.2016. Therefore the contentions raised by the respondents are rejected and a mandate is issued to the respondents to promote the applicant with effect from 08.11.2016, which is the date on which both sides agree that the applicant had completed 5 years service as Junior Hindi Translator, and promote him as Senior Hindi Translator with all consequences to follow within two months next.

2. The OA is allowed. No order as to costs.

(C V SANKAR)  
MEMBER (A)

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

**Annexures referred to by the applicant in OA No.170/00881/2017**

**Annexure A-1:** Copy of the order dated 18.10.2011

**Annexure A-2:** Copy of the notification dated 05.12.1996

**Annexure A-3:** Copy of the order dated 09.11.2010

**Annexure A-4:** Copy of the letter dated 07.06.2011

**Annexure A-5:** Copy of the order dated 04.11.2015

**Annexure A-6:** Copy of the representation dated 07.09.2016

**Annexure A-7:** Copy of the letter dated 03.10.2016

**Annexure A-8:** Copy of the representation dated 02.12.2016

**Annexure A-9:** Copy of the letter dated 07.12.2016

**Annexure A-10:** Copy of the representation dated 29.12.2016

**Annexures with reply statement**

**Annexure R-1:** Copy of the CPMG letter dated 03.10.2016

**Annexure R-2:** Copy of the CPMG letter dated 18.01.2017

**Annexure R-3:** Copy of the CPMG letter dated 01.12.2017

**Annexure R-4:** Copy of the CPMG letter dated 05.01.2018

**Annexure R-5:** Copy of the DO letter dated 10.08.2017

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