

**CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH**  
**CIRCUIT SITTING : BILASPUR**

**Transferred Application No.203/00001/2017**

(Arising out of W.P. (S) 5482/2008)

Bilaspur, this Friday, the 05<sup>th</sup> day of April, 2019

**HON'BLE MR. NAVIN TANDON, ADMINISTRATIVE MEMBER**  
**HON'BLE MR. RAMESH SINGH THAKUR, JUDICIAL MEMBER**

1. Anoop Shivappa, s/o Shri R. Shivappa, aged about 44 years, R/o Quarter No. 330/37, Pragati Nagar, Risali, Bhilai, District Durg (C.G.).
2. B. Mahesh Kumar, S/o Late B. Satyanarayan, aged about 42 years, R/o Quarter No. 12/A, South Avenue, Nandini Township, P.O. – Nandini, District Durg (C.G.).
3. Rana Ranjeet Kumar Singh, s/o Shri Baijnath Prasad Singh, aged about 33 years, R/o Quarter No. 3/A, IWA Type, Hirri Township, District Durg (C.G) -Applicant

**(By Advocate – Shri Manish Upadhyay)**

**V e r s u s**

1. Steel Authority of India Limited (in short SAIL) through its Chairman, New Delhi.
2. Managing Director, Bhilai Steel Plant, District Durg (C.G.).
3. Executive Director (P&A), Bhilai Steel Plant, District Durg (CG) -Respondents

**(By Advocate – Shri Kashif Shakeel)**

**O R D E R (O R A L)**

**By Navin Tandon, AM.**

The petitioners had approached the Hon'ble High Court of Chhattisgarh in Writ Petition (S) No.5482 of 2008, which

was transferred to this Tribunal on 25.05.2017 and is registered as TA 203/00001/2017.

**2.** The petitioners have sought for the following reliefs in this TA:

“10.1 This, looking to the above facts and circumstances of the case further implementation of promotion policy/rules (enclosed as Annexure P-6) framed by the respondents for the petitioner be stayed till the matter be finally decided by the Hon’ble Court.

10.2 That, promotion policy/rules (enclosed as annexure P-6) declared by the respondents be quashed and fresh promotion policy/rules, taking into account the statutory provisions of mining legislations, be framed and declared by the respondents in the interest of justice.

10.3 The petitioners may be accorded E-0 Grade with immediate effect (as per the statutory provisions of mining legislation) without any formalities and all such petitioners who have seven years of post qualification experience (as per the conditions stipulated by the respondents vide their Advertisement enclosed as Annexure P-4) may be upgraded to E-1. Hon’ble Court may decide the modus operandi of the above up-gradation and direct the respondents to conduct examination as per it’s directive to upgrade mine surveyor to E-1 grade.

10.4 Any other relief which the Hon’ble Court deems fit & proper under the facts and circumstances of the case may also pleased be granted in the interest of justice.”

**3.** Learned counsel for the respondents submitted that the same policy was under challenge before Hon’ble High Court of Chhattisgarh in W.P. (S) No.5044 of 2008, and the Hon’ble

High Court has dismissed the same vide order dated 05.01.2009.

**4.** The above is not controveted by learned counsel for the petitioners.

**5.** Since the issue involved in this TA has already been adjudicated upon by the Hon'ble High Court of Chhattisgarh, therefore, there is no substance in this Transferred Application.

**6.** Accordingly, TA is dismissed.

**(Ramesh Singh Thakur)**  
**Judicial Member**  
am/-

**(Navin Tandon)**  
**Administrative Member**