

**Central Administrative Tribunal
Principal Bench**

OA No.1075/2015

New Delhi, this the 25th day of January, 2019

**Hon'ble Sh. Justice L. Narasimha Reddy, Chairman
Hon'ble Sh. Mohd. Jamshed, Member (A)**

Suresh Chandra Pant, Aged 60 years,
A.P.C.C.F. (Retd.), Group 'A'
Sub-Promotions
R/o Haripur Nayak, Kamalua Ganja Road,
Near Shiv Temple Haldwani, Distt. Nainital
(Uttarakhand)-263139
Presently R/o B-32, Qutub Vihar Phase-1,
New Delhi-110071.

...Applicant

(By Advocate : Shri Gyaneshwar)

Versus

1. Union of India Through,
Secretary,
Ministry of Environment & Forest,
C.G.O. Complex, Lodhi Road, New Delhi.
2. The Chief Secretary,
Uttarakhand Government,
Subhash Road, Dehradun, Uttarakhand.
3. The Principal Secretary,
Department of Forest & Environment,
Subhash Road, Dehradun,
Uttarakhand.
4. The Principal Secretary of Finance,
Uttarakhand, Dehradun.

...Respondents

(By Advocate : Shri Virendra Kumar
Ms. Bharathi Reddy with Ms. Gitanjali N.
Sharma and Ms. Vidya)

ORDER (ORAL)**Justice L. Narasimha Reddy, Chairman :-**

The applicant was appointed as officer in the Forest Department of Uttarakhand State. He was promoted to IFS through notification dated 08.07.2005. He was given the year of allotment, of 1986. The Government of India corrected the same to 1982, through an order dated 06.10.2005. In the meanwhile, an officer by name, Ms. Rekha Pai, IFS, junior to the applicant was promoted to selection grade, whereas the applicant was not extended that benefit. Narrating these and other developments, the State of Uttarakhand, the 2nd respondent herein, issued a notification dated 23.05.2014. It was mentioned that the applicant is entitled to be promoted on par with his junior Smt. Rekha Pai, and that he is also entitled to be paid the monetary benefits.

2. The applicant is not satisfied with the same and he wants further benefits, such as promotion and fixation of pay scale. This OA is filed in this behalf. However, the prayer is not so well framed.

3. Respondents No.2to4, filed counter affidavit stating that on a wrong notion, the applicant was given a year of allotment of 1986 and once it was rectified to 1982, he is entitled to all the benefits. It is stated that the record pertaining to the applicant has been received from the various departments in the recent past and the benefit of higher pay scale would be extended to him shortly.

4. We heard Shri Gyaneshwar, learned counsel for applicant and Shri Virendra Kumar and Ms. Bharathi Reddy, learned counsel for respondents.

5. On a perusal of the notification dated 23.05.2014, it is evident that the applicant was initially allotted the year of 1986 and the same was corrected as 1982 vide order dated 06.10.2005, issued by the Central Government.

6. Naturally, this was to result in his promotion to higher post, on par with his immediate junior and extension of financial benefits. In all fairness, respondents No.2to4 stated that the financial benefits would be extended to the applicant.

7. We therefore, dispose of the OA directing that the respondents No.2 to 4 shall extend all the benefits to the applicant, including promotion and difference of pay, which the applicant is entitled to, by treating his year of allotment as 1982, within a period of three months from the date of receipt of a certified copy of this order.

There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L.Narasimha Reddy)
Chairman

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