

**Central Administrative Tribunal
Principal Bench**

OA No.1829/2014

New Delhi, this the 24th day of July, 2019

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

Suresh Kumar Jindal,
Aged 59 years, Scientist 'G',
s/o Shri Kasturi Lal,
R/o J-2/3, M.S. Flats,
Sector-13, R.K. Puram,
New Delhi-110066.

...Applicant

(None)

Versus

1. Union of India,
Through its Secretary,
Ministry of Defence,
South Block,
New Delhi-110011.
2. Department of Defence Research & Development,
Ministry of Defence,
Through its Secretary, DG of DRDO &
Scientific Advisor to Raksha Mantri,
DRDO Bhawan, Raja ji Marg,
New Delhi-110105.
3. Directorate of Personnel (DoP),
Through its Director,
DRDO Head Quarter, DRDO Bhawan,
Rajaji Marg, New Delhi-110105.
4. Recruitment & Assessment Centre (RAC),
Through its Chairman,
Defence Research & Development Organisation
(DRDO),
Lucknow Road, Timarpur,
Delhi-110054.

5. Department of Personnel & Training (DoPT),
Through its Secretary,
Ministry of Personnel,
Public Grievances and Pensions,
North Block, New Delhi-110011.

...Respondents

(None)

ORDER (ORAL)

Justice L. Narasimha Reddy, Chairman :-

The applicant was working as Scientist 'G' in the Defence Research & Development Organisation (for short, DRDO), under the Finance Ministry. The promotion to the next post was to the Scientist 'H'. According to the rules that were in force at that time, the interaction of the eligible candidates with the Internal Screening Committee was essential. On 16.05.2014, the applicant was informed that such interaction would commence from 31.05.2014. The date and time slot was also indicated. This OA is filed challenging the SRO dated 09.05.2011, through which the process of interaction was introduced.

2. The applicant contends that such a procedure was not in place, when he joined the service and that he is

entitled to be considered for promotion, in accordance with the un-amended procedure.

3. The respondents filed counter affidavit opposing the OA. It is stated that the SRO was issued with a view to improve the quality of selection of Scientists at a higher level and that no exception can be taken. It is also stated that the applicant does not have any fundamental right to be promoted and he will be governed by the rules, which were in vogue.

4. There is no representation on behalf of the applicant. As of now, the OA has been listed as many as 47 times. On behalf of the applicant written arguments were submitted. There is no representation on behalf of respondents also. Therefore, we have perused the record and decided to adjudicate the matter as provided under Rule 15 of the CAT (Procedure) Rules, 1987.

5. The impugned SRO was issued on 22.04.2014. The applicant does not plead that the respondents did not have the authority to issue the SRO. The promotion is from the post of Scientist 'G', which is at a very high level.

It is but natural that the selection must be on the basis of the interaction. It is only during the course of interaction, that the selecting agencies will be able to assess the performance and potential of the candidates.

6. We do not find any merit in the OA. At any rate, the applicant was retired from the service long back and nothing can be done at this stage. We accordingly, dismiss the OA.

There shall be no orders as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

‘rk’