

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

O.A. No. 2467/2019

New Delhi, this the 22nd day of August, 2019

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

Khema Nand Pokhriyal
Aged about 57 years
S/o late Shri Jai Dutt
Post held : Group-A
Compulsorily retired as Under Secretary
F-104, Sector-56, Noida
Gautam Budh Nagar, Uttar Pradesh.

.. Applicant

(By Advocate: Shri Sudarshan Rajan with
Shri Ramesh Rawat)

Versus

1. The Chairman
Press Council of India
Soochna Bhawan
CGO Complex, Lodhi Road
New Delhi.
2. The Press Council of India
Through its Secretary
Soochna Bhawan
CGO Complex, Lodhi Road
New Delhi.
3. Mr. S.K. Maggon
Presently Deputy Secretary
Press Council of India
Soochna Bhawan
CGO Complex, Lodhi Road
New Delhi.

.. Respondents

O R D E R (ORAL)**Justice L. Narasimha Reddy, Chairman**

The applicant was working as Under Secretary in the Press Council of India. Promotion to the post of Deputy Secretary has taken place on 31.08.2018, and one Shri S.K. Maggon, the 3rd Respondent herein, was promoted. The applicant contends that the 3rd Respondent was junior to him, and there was absolutely no basis for Respondent Nos. 1 and 2, in promoting him to the post of Deputy Secretary. It is also stated that he is highly qualified, compared to the Respondent No. 3.

2. We heard Shri Sudarshan Rajan, learned counsel for the applicant.

3. We feel that it is not necessary to admit the O.A. The reason is that the applicant was removed from service on 05.09.2018. He filed O.A. No. 1605/2019 challenging the order of removal. Once he is out of service, the question of his filing an O.A., in relation to the alleged denial of promotion, does not arise.

4. We, therefore, dismiss the O.A. as not tenable. We, however, leave it open to the applicant to pursue the remedies, in relation to promotion, in case he is successful in O.A. 1605/2019 and is reinstated into service. There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

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