

**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH**

**O.A. No. 2467/2019**

New Delhi, this the 22<sup>nd</sup> 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 3<sup>rd</sup> Respondent herein, was promoted. The applicant contends that the 3<sup>rd</sup> 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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