

**CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BENGALURU**

ORIGINAL APPLICATION NO.170/01620/2018

DATED THIS THE 21ST DAY OF JUNE, 2019

**HON'BLE DR. K.B.SURESH
HON'BLE SHRI C.V. SANKAR**

**...MEMBER(J)
...MEMBER(A)**

T.Balasubramannian,
Aged about 46 years (DOB 19.01.1967),
S/o late V.P.Kesavan Nambiar,
Senior Assistant,
O/o the Director & Head
Central Institute of Plastics
Engineering & Technology (CIPET),
No.437/A, Hebbal Industrial Area,
Mysore – 570 016.

.....Applicant

(By Shri N.G.Phadke, Advocate)

Vs.

1.Union of India,
Represented by its Secretary,
Ministry of Chemicals & Fertilizers,
Department of Chemicals & Petrochemicals,
A-Wing, Shastri Bhawan,
Dr.Rajendra Prasad Road,
New Delhi – 110 001.

2.Director General,
Central Institute of Plastics
Engineering & Technology (CIPET),
Head Office, Guindy,
Chennai – 600 032.

3.Director & Head,
Central Institute of Plastics
Engineering & Technology (CIPET),
No.437/A, Hebbal Industrial,
Mysore – 570 016.

.....Respondents

(By Shri .V.N. Holla, Standing Counsel for Respondents)

ORDER (ORAL)

HON'BLE DR.K.B.SURESH ...MEMBER(J)

Heard. In this matter, Shri V.N. Holla, learned counsel for the respondents raises an objection that the post in the Institution concerned is now treated as centre based. Therefore, since Mysore Centre do not have the post, the applicant could not be promoted, even though vacancies exists elsewhere also. On the admission of the respondents, one such vacancy be transferred to which ever place the applicant is now engaged and he will be promoted in compliance with the earlier orders.

2 OA thus allowed. This will be done within the next two months. No costs.

(C.V. SANKAR)
MEMBER(A)

(DR.K.B.SURESH)
MEMBER(J)

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Annexures referred to by the Applicant in OA.No.1620/2018

Annexure A-1: Appointment order dated 30.09.1991 issued by CIPET to the applicant.

Annexure A-2: Advertisements published on 23.06.1992 & 27.08.1996 by the CIPET to full-up various posts.

Annexure A-3: DPC/Interview Committee Assessments recommendations for promotion on the post of Typist/Clerk Gr. II pertaining to the Applicant dated 14.03.2000, 25.06.2001, 26.06.2001, 28.10.2002 & 30.06.2010.

Annexure A-4: Order dated 02.03.2016 in OA.No.1279/2012 passed by this Tribunal.

Annexure A-5: Impugned order dated 04.05.2016 promoting the applicant to the posts of Typist/clerk Gr.I w.e.f. 01.08.2001 & Sr. Asst. w.e.f. 01.08.2010 issued by the III Respondent.

Annexure A-6: Details of non-supervisory employees of CIPET.

Annexure A-7: Applicant's representation dated 16.8.2016.

Annexure A-8: Impugned order dated 09.09.2016 issued by the II Respondent.

Annexure A-9: Order dated 01.11.2017 in OA.No.592/2017 passed by this Tribunal.

Annexure A-10: Applicant's representation dated 16.11.2017.

Annexure A-11: Impugned order dated 18.01.2018 issued by the II Respondent.

Annexures referred to by the Respondents in the Reply

Annexure R-1: Letter dated 27.11.2000 addressed to the Deputy Director, CIPET, Mysore.

Annexure R-2: CIPET Corporate, Chennai Letter dated 13.09.2001.

Annexure R-3: CIPET Corporate, Chennai DPC report approval dated 12.11.2002.

Annexure R-4: CIPET Corporate, Letter dated 27.07.2010.

Annexure R-5: Extract of CIPET Recruitment Rules.

Annexure R-6: Supreme Court order dated 27.10.1987 in Civil Appeal No. arising out of SLP No.4259/1987.

Annexure R-6: Supreme Court order dated 10.01.1974 in Civil Appeal No.875/1968.

Annexure R-8: Supreme Court order dated 17.07.1987 as reported in CDI 1987 Supreme Court 737 SBI vs. Mohd. Mynuddin.

Annexures referred to by the Applicant in the Rejoinder

Annexure A-12: Restructured Pay order dated 18.06.1996.

Annexure A-13: Relevant pages of tampered RRs.

Annexure A-14: Relevant pages of Administrative Manual.

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