

**Central Administrative Tribunal
Madras Bench**

OA/310/00552/2019

Dated Thursday the 25th day of April Two Thousand Nineteen

P R E S E N T

**Hon'ble Mr. P.Madhavan, Member(J)
&
Hon'ble Mr.T.Jacob, Member(A)**

K.A.Surya Narayanan
S/o T.K.Ayyappan Kutty Nair,
No.25-A, C.R.Sundaram Bros Lay Out,
Trichy Road, Ramanathapuram PO,
Coimbatore 641 045.
By Advocate **M/s.R.Malaichamy**

.. Applicant

Vs.

1. Union of India rep by the
Secretary,
M/o Labour & Employment,
Shram Shakti Bhavan,
Rafi Marg, New Delhi 110 001.
2. The Chairman,
Dattopant Thengadi National Board for
Workers Education & Development (DTNBWED),
Room No.21-22, 7/10,
Jam Nagar House, Man Singh Road,
New Delhi 110 011.
3. The Director,
Dattopant Thengadi National Board for
Workers Education & Development (DTNBWED),
North Ambazari Road, Near VNIT Gate,
Nagpur 440 033,
Maharashtra State.
4. The Additional Director,

- Dattopant Thengadi National Board for
Workers Education & Development (DTNBWED),
M/o Labour & Employment,
Shram Shakti Bhavan,
Rafi Marg, New Delhi 110 001.
5. The Financial Advisor,
Dattopant Thengadi National Board for
Workers Education & Development (DTNBWED),
M/o Labour & Employment,
Shram Shakti Bhavan,
Rafi Marg, New Delhi 110 001.
6. The Deputy Director (HQ) I/C,
Dattopant Thengadi National Board for
Workers Education & Development (DTNBWED),
North Ambazari Road, Near VNIT Gate,
Nagpur 440 033,
Maharashtra State.
7. The Zonal Director I/C,
Zonal Directorate (South Zone),
Dattopant Thengadi National Board for
Workers Education & Development (DTNBWED),
Module 43-45, Garment Complex,
2nd Floor, Thiru-Vi-Ka Industrial Estate,
Guindy, Chennai 600 032.
8. The Regional Director,
Regional Directorate,
Dattopant Thengadi National Board for
Workers Education & Development (DTNBWED),
No.25-A, C.R.Sundaram Bros. Lay Out,
Trichy Road, Ramanathapuram PO,
Coimbatore 641 002,
Tamil Nadu.

.. Respondents

By Advocate **Mr.SU.Srinivasan**

ORAL ORDER

[Pronounced by Hon'ble Mr.P.Madhavan, Member(J)]

This is an OA filed seeking the following reliefs:-

“i) direct the respondents to restore the promotion given to the applicant in the cadre of UDC with seniority as existed as on 01.5.2011, which should have been the seniority taken to convene the review DPC and with all other attendant benefits w.e.f. 03.6.2016 for which he has made representations dated 01.1.2019 and 23.1.2019 respectively to the 3rd respondent; and,

ii) to pass such further orders as this Tribunal may deem fit and proper..”

2. Learned counsel for the applicant submits that the applicant is a distraught ex-service man re-employed as Lower Division Clerk (LDC) on 30.3.2005 in Central Board for Workers Education (CBWE), now renamed as Dattopant Thengadi National Board for Workers Education & Development (DTNBWED), against vacancies earmarked for ex-servicemen. He made Annexure A4 and A6 representations dated 01.1.2019 and 23.1.2019 respectively seeking review of Departmental Promotion Committee constituted and convened on 28th and 29th November 2018 for promotion to the post of UDC and for promotion to the post of UDC as per the seniority list existed during the year 2016, respectively, which are still pending for consideration of the respondents. It is submitted that the applicant would be satisfied if the competent authority is directed to consider his representations in accordance with law and the facts of his case and pass a reasoned

and speaking order within a time limit to be stipulated by this Tribunal.

3. Mr.SU.Srinivasan takes notice for the respondents.

4. Keeping in view the limited relief sought and without going into the substantive merits of the claim, the competent authority is directed to consider Annexure A4 and A6 representations dated 01.1.2019 and 23.1.2019 respectively, of the applicant comprehensively dealing with all the points raised therein and pass a detailed and speaking order in accordance with law within a period of three months from the date of receipt of a copy of this order.

5. OA is disposed of with the above direction at the admission stage.

(T.Jacob)
Member(A)

25.04.2019

(P.Madhavan)
Member(J)

/G/