

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR**

Original Application No. 291/640/2014

DATE OF ORDER: 27.08.2019

CORAM

**HON'BLE MR. SURESH KUMAR MONGA, JUDICIAL MEMBER
HON'BLE MR. A. MUKHOPADHAYA, ADMINISTRATIVE MEMBER**

Anshul Kumar Singh S/o Shri Shri Ashok Kumar Singh aged about 30 years, R/o 76, Jamnapuri, Murlipura Scheme, Jaipur, Rajasthan.

....Applicant

Mr. David Mehla, proxy counsel for
Mr. S.S. Shekhawat, counsel for applicant.

VERSUS

1. The Union of India represented through Secretary, Ministry of Tourism, Government of India, Transport Bhawan 1, parliament Street, New Delhi.
2. Secretary cum office Chairman, Department of Tourism, Government of Rajasthan, Secretariat, Jaipur, Rajasthan.
3. Principal, Institution of Hotel Management, Catering Technology and applied Nutrition, Banipark, Jaipur, Rajasthan.
4. Principal, State Institute of Hotel Management Catering Technology and Applied Nutrition, Polytechnic Campus, New Pali Road, Jodhpur, Rajasthan.

....Respondents

Mr. R.C. Joshi, counsel for respondent no. 3.
None present for respondents no. 1, 2 & 4.

ORDER (Oral)

Per: Suresh Kumar Monga, Judicial Member

The present Original Application has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 seeking therein the following relief:

"A. By an appropriate order or direction in nature thereof, thereby respondents be directed to count the previous years of service of the applicant rendered at State IHM, Jodhpur for being considered for promotion and all other service benefits and also set aside the letter dated 02.05.14 by which representation of the applicant is decided.

B. By an appropriate order or direction in nature thereof, thereby respondents be directed to consider the candidature of the applicant for the post of lecturer cum instructor after counting service rendered at State IHM, Jodhpur.

C. Any other order, relief or direction, which this Hon'ble Tribunal deems fit and proper and just in the facts and circumstances in the case may also be passed."

2. At the very outset, Shri R.C. Joshi, learned counsel for respondent no. 3 pointed out that during pendency of the present Original Application, a DPC was convened on 25th August, 2015 and consequent thereto, four persons senior to the applicant were promoted on 02nd September, 2015. Shri R.C. Joshi further pointed out that DPC was again convened on 31st May, 2019 wherein the applicant's case was also considered. Since the applicant was found fit for promotion, therefore, he has been granted promotion on 18th June, 2019.

3. The aforesaid fact, as stated by Shri R.C. Joshi, learned counsel for respondent no. 3 has not been disputed by Shri David Mehla, appearing as proxy for Shri S.S. Shekhawat, learned counsel for the applicant.

4. In view of the above, the present Original Application is disposed of with the observations that if still the applicant is not satisfied and he finds a cause surviving in his favour, he shall be at liberty to file a fresh Original Application by impleading the persons, who were promoted pursuant to DPC convened on 25th August, 2015.

5. Ordered accordingly. No order as to costs.

**(A. MUKHOPADHAYA)
ADMINISTRATIVE MEMBER**

**(SURESH KUMAR MONGA)
JUDICIAL MEMBER**

Kumawat