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CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH

OA 2839/2003

New Delhi this the 25th day of November. 2003

**Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman(J)
Hon'ble Shri S.A. Singh, Member (A)**

Shafi Ahmed Beg,
Junior Investigator, CPO, NSSO
R/O F-322, Road No.3,
Adrews Ganj, New Delhi-49

.. AApplicant

(By Advocate Shri S.N. Anand)

VERSUS

1. Union of India through
Secretary, Ministry of Statistics and
Programme Implementationn
(Statistics Wing), Sardar Patel Bhawan,
New Delhi.

2. Director (Administration)
Ministry of Statistics and
Programme Implementation
(Statistics Wing), Sardar Patel
Bhawan, New Delhi.

.. Respondents

O R D E R (ORAL)

(Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman (J)

We have heard Shri S.N. Anand, learned counsel for
the applicant.

2. The applicant who is working as Junior
Investigator (JR) with the respondents claims that he may
be ~~considered~~ for the next higher post of Senior
Investigator (S.I.) against the vancancy held by one
Shri C.N. Singh on deputation basis. Applicant has stated
in limis that the currency of penalty imposed by order dated
6.3.1998 has been completed on 31.3.2003. Shri
S.N. Anand, learned counsel has further submitted that
w.e.f. 1.4.2003, the applicant has also been given

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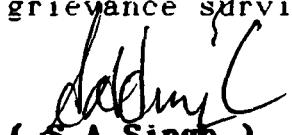
financial upgradation under the Assured Career Progression (ACP) Scheme. His claim is that the respondents ought to have considered the case of the applicant for promotion on regular basis to the post of SI from this date in accordance with the Rules. In this regard, learned counsel has submitted that the applicant had filed a representation dated 9.4.2003 to the respondents through proper channel (Annexure K). He submits that no reply has been received by the applicant so far to this representation. Hence this OA. Learned counsel has also submitted that he would be satisfied if a direction is given to the respondents to consider applicant's case in accordance with the Rules, for promotion to the post of S.I and dispose of the aforesaid representation within a specified period.

3. In the above facts and circumstances of the case and noting also the submissions of the learned counsel for the applicant, we consider it proper to dispose of this OA at the admission stage. We do so in the interest of justice and even without issuing notice to the respondents as it appears that the applicant has submitted his representation on 9.4.2003 which should have been considered by the respondents. Accordingly, OA is disposed of with the following direction:-

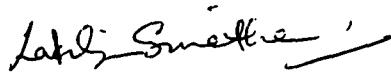
Respondent No.2 shall consider the aforesaid representation of the applicant dated 9.4.2003, if not already done ^{and R2} pass a detail, speaking and reasoned order

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in accordance with law/Rules and relevant instructions on the subject. He shall do so within a period of two months from the date of receipt of a copy of this order and if a decision has already been taken, the same shall be communicated to the applicant immediately. Liberty is granted to the applicant ^{, as advised,} in accordance with law, if any grievance survives.


(S.A. Singh)

Member (A)


(Smt. Lakshmi Swaminathan)

Vice Chairman (J)

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