

**CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH**  
**JABALPUR**

**Original Application No.200/00972/2019**

Jabalpur, this Monday, the 04<sup>th</sup> day of November, 2019

**HON'BLE MR. RAMESH SINGH THAKUR, JUDICIAL MEMBER**

Umesh Kumar Tiwari, S/o late Shri H.R. Tiwari, aged about 60 years, Occupation – Retired Accounts Officer from NCC Directorate M.P & C.G. Bhopal, R/o Shree-08, Shree Homes, Chunna Bhatti Kolar Road, Bhopal (MP) **-Applicant**

**(By Advocate – Shri Ashish Mishra)**

**V e r s u s**

1. Union of India through Secretary, Ministry of Defence, South Block, New Delhi 110010.
2. Controller General of Defence Accounts, Ulan Batar Marg, Delhi Cantt, New Delhi – 110010.
3. The Principal Controller of Defence Accounts (Pension), Allahabad (UP) 211003..
4. Controller of Defence Accounts, Ridge Road, Jabalpur, District Jabalpur – 482001 **-Respondents**

**(By Advocate – Shri Surendra Pratap Singh)**

**O R D E R (O R A L)**

This Original Application has been filed seeking direction to the respondents to grant promotion to the applicant on the post of Senior Accounts Officer Grade from the date of his entitlement.

2. The case of the applicant is that he was appointed as Assistant Accounts Officer on 05.04.1982 and thereafter promoted as Accounts Officer on 25.11.2014. However, after serving more than four years as Accounts Officer, the applicant has not been considered for promotion as Senior Accounts Officer, whereas as per the amended Recruitment Rules for the post of Senior Accounts Officer in Defence Accounts Department (Annexure A-3), he is entitled to be considered for promotion after rendering two years regular service in the grade of Accounts Officer.

3. The applicant has made a representation on 20.04.2018, which was duly forwarded by the Department on 20.04.2018. Further, he has again made a representation on 27.08.2019 (Annexure A-5), which is pending before the respondent department till date.

4. At this stage, learned counsel for the applicant submits that the applicant will be satisfied if the respondents are directed to consider and decide his representation (Annexure A-5) coupled with earlier representation dated 20.04.2018, in a time-bound manner.

5. Learned counsel for the respondents, appearing on advance copy, submits that the O.A is barred by limitation.

6. Heard both sides.

7. Objection regarding the delay, raised by learned counsel for the respondents is not sustainable due to the fact that the applicant was promoted to the post of Accounts Officer on 25.11.2014 and he has not been considered for further promotion. Therefore, this is a recurring cause of action till date as in view of Amended Recruitment Rules (Annexure A-3), the applicant was to be considered for promotion as Senior Accounts Officer after rendering two years service as Accounts Officer.

8. I feel that request of learned counsel for the applicant is genuine and ends of justice would be met if the respondents are directed to decide Annexure A-5 representation in a time-bound manner. Accordingly, competent authority of the respondent department is directed to consider and decide the representation (Annexure A-5), within a period of 90 days from receiving the certified copy of the order. The decision of the competent authority shall be reasoned and speaking, which shall also be communicated to the applicant.

9. In view of the above, the O.A is disposed of at the admission stage itself. Needless to say that this Tribunal has not commented on merits of the case.

**(Ramesh Singh Thakur)**  
**Judicial Member**

*am/-*