

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

OA No. 884/2014

This the 31st day of October, 2019

Hon'ble Mr. S.N. Terdal, Member (J)
Hon'ble Mr. A.K. Bishnoi, Member (A)

Sh. S.B. Bhardwaj, Age-61 years
S/o late Sh. Gian Chand
R/o A-80, Ordnance Apartments
H-Block, Vikaspuri, New Delhi-18. ...Applicant

(through Sh. Sachin Chauhan)

Versus

1. Union of India
Through the Secretary
Ministry of Defense
South Block, New Delhi-1.
2. The FADS (Financial Advisor Defense Service)
Ministry of Defense
South Block, New Delhi-1.
3. The Controller General of Defense Account
Ministry of Defense
Office of the CGDA
Ulan Batar Road
Palam, Delhi Cantt-110010.
4. The Sr. Dy. CGDA (Admn.)
O/o Controller General of Defense Account
Ulan Batar Road
Palam, Delhi Cantt-110010.

5. The Controller General of Accounts

Ministry of Finance

Lok Nayak Bhawan

Khan Market, New Delhi-110511.

6. The Comptroller and Auditor General

Pocket-9, Deen Dayal Upadhyaya Marg

New Delhi-110124.

7. The Secretary

Govt. of India

Ministry of Personnel

Public Grievances and Pensions

(Department of Personnel & Training)

North Block, New Delhi.

...Respondents

(through Sh. D.S. Mahendru)

ORDER (Oral)

Hon'ble Mr. S.N. Terdal:

Heard Sh. Sachin Chauhan, learned counsel for the applicant
and Sh. D.S. Mahendru, learned counsel for the respondents.

2. The applicant has sought the following reliefs:

“(i) to direct the respondents to consider the applicant for promotion to the grade of Sr. Accounts Officer w.e.f. 01.01.2013 against the vacancy year 2013-14 and if promoted then to grant the applicant all consequential benefits in terms of pay & allowances and further regarding retiral benefits and regular pension including arrears.

Or

(ii) Any other relief which this Hon'ble court deems fit and proper may also be awarded to the applicant.

3. The relevant facts of the case are that the applicant retired on 31.03.2013 in the capacity of Accounts Officer. He sought promotion to the post of Senior Accounts Officer, vacancy for which arose as on 01.04.2013. On the information secured by the applicant under RTI, the applicant submitted a representation on 30.09.2013 (Annexure A/10). With reference to the same, the respondents have informed the applicant to the effect that the said representation has been referred to the Ministry of Defence, seeking clarification. The said reply is extracted below:

"In this context it is stated that the matter has been referred to Ministry of Defence (Fin.) for examination and clarification as to whether the benefit of promotion in Senior Accounts Officer's grade may be granted w.e.f. 1st January and whether the same may also be extended to those Accounts Officers who are due for retirement between 1st January to 31st March. The Ministry of Defence in turn has intimated that the subject case has been further referred to DOP&T for clarification. The reply/clarification in the matter is still awaited from MoD/DOP&T. On receipt of the requisite clarification the matter will be processed accordingly."

4. From a perusal of the said reply dated 19.12.2013, it is clear that the respondents have not taken any final decision.

5. In view of the facts and circumstances referred to above, we dispose of the OA directing the respondents to dispose of the representation of the applicant dated 30.09.2013, by passing a reasoned and speaking order within two months from the date of receipt of a certified copy of this order. In case the respondents take a decision in a positive manner, an order shall be passed granting all consequential benefits. No costs.

(A.K. Bishnoi)
Member (A)

(S.N.Terdal)
Member (J)

/ns/