

(2018) 01 CAT CK 0044

In the Central Administrative Tribunal

Case No : Original Application No. 165 Of 2018, Miscellaneous Application No. 174 Of 2018

Abhishek Kumar And Others

APPELLANT

Vs

Union Of India And Others

RESPONDENT

Date of Decision : 15-01-2018

Acts Referred:

Citation : (2018) 01 CAT CK 0044

Hon'ble Judges : Permod Kohli, J;K.N Shrivastava, Member (A)

Bench : Division Bench

Advocate : M K Bhardwaj, Ashok Kumar

Final Decision : Disposed Of

Judgement

Permod Kohli, J

M.A. No.174/2018

M.A. seeking joining together in a single petition is allowed.

O.A. No.165/2018

1. Notice. Mr. Ashok Kumar, learned counsel appears and accepts notice on behalf of respondents.

2. The applicants are presently working as Inspectors, Central Excise and Customs in Delhi Zone. They claim to be eligible to be promoted to the post of Superintendent. The grievance of the applicants is that their juniors were promoted w.e.f. 01.04.2015 and w.e.f. 01.04.2017 vide orders dated 01.04.2015 and 31.03.2017 respectively. The applicants are also entitled to be considered when their juniors were promoted by granting them relaxation upto 02 years in eligibility service as prescribed under the Recruitment Rules and vide DOP&T O.M. No.14017/12/88-Estt. (RR) dated 25.03.1996.

3. The applicants' counsel also relied upon judgment passed in O.A.

No.3405/2014 on 12.05.2016. Learned counsel also referred to a letter dated 01.01.2018, whereby APARs of last six years have been called for in respect of two candidates, namely, Shri Aseem Kumar and Shri Vinay Rawat for their consideration for promotion to the post of Superintendent w.e.f. 14.10.2014. The applicants also fall for consideration within the same period. The prayer made is accordingly for issuance of direction to the respondents to consider their cases for promotion to the post of Superintendent, Central Excise and Customs along with their juniors promoted vide orders dated 01.04.2015 and 31.03.2017.

4. In view of the above, this O.A. is disposed of at the admission stage without going into the merits of the controversy with a direction to the respondents to examine the case of the applicants in the light of the judgment passed in O.A. No.3405/ 2014 and pass appropriate order in accordance with law within a period of two months from the date of receipt of a copy of this order.