

(2020) 09 CAT CK 0112

In the Central Administrative Tribunal

Case No : Original Application No. 1009 Of 2020

J.L.Wankhade

APPELLANT

Vs

Union Of India & Others

RESPONDENT

Date of Decision : 24-09-2020

Acts Referred:

Citation : (2020) 09 CAT CK 0112

Hon'ble Judges : L. Narasimha Reddy, J;Pradeep Kumar, Member (A)

Bench : Division Bench

Advocate : Yogesh Sharma, V.S.R. Krishna, Krishna Kant Sharma

Final Decision : Disposed Of

Judgement

L. Narasimha Reddy, J

1. The applicant is working as a Deputy Chief Project Manager in the Northern Railways. The next upgradation is to the selection grade and that took place on 19.02.2019. The benchmark of the APARs for extending that benefit was 'Very Good' for the relevant years. The APAR of the applicant for 2014-15 was recorded as 'Good'. A representation made by him for upgradation thereof was rejected on 07.03.2017.

2. It is stated that several representations were made to the administration explaining the hardship on account of the bench mark stipulated for extending the benefit of selection grade. It is also mentioned that by taking the same into account, the administration of the Railways has issued Memorandum dated 23.05.2019, directing that the APAR, graded as 'Good' for the period anterior to 25.07.2016, shall be treated as 'Very Good'. The applicant states that he made a representation claiming the benefit under the circular dated 23.05.2019, and complains that no action has been taken thereon.

3. We heard Shri Yogesh Sharma, learned counsel for applicant and Shri V.S.R. Krishna with Krishna Kant Sharma, learned counsel for respondents.

4. The selection grade was extended to the eligible employees through order dated 19.02.2019. It was denied to the applicant because of his below bench mark APAR for the year 2014-15. No exception can be taken to the impugned order dated 19.02.2019.

5. The applicant and similarly situated persons made representations to the administration expressing the hardship faced by them. Taking the same into account, the administration has taken a policy decision to treat the APARs assessed as 'Good' for the period prior to 25.07.2016 as 'Very Good'. The result is that, the APAR of the applicant for the year 2014-15 is now deemed to be 'Very Good', notwithstanding, the rejection of the representation for his upgradation. As a consequence thereof, the applicant needs to be considered once again for extension of the benefit of selection grade.

5. We, therefore, dispose of the OA directing the respondents to pass orders on the representation submitted by applicant, within a period of six weeks from the date of receipt of a certified copy of this order.

There shall be no orders as to costs.