
(2013) 08 MP CK 0301
In the Madhya Pradesh High Court
Case No : W.A. No. 445 of 2008

SGT. H.P.S. Yadav

APPELLANT

Vs

Union of India

RESPONDENT

Date of Decision : 01-08-2013

Acts Referred:

Citation : (2013) 08 MP CK 0301

Hon'ble Judges : S.K. Gangele, J;M.K. Mudgal, J

Bench : Division Bench

Advocate : D.P. Singh, for the Appellant; V.K. Sharma, for the Respondent

Final Decision : Dismissed

Judgement

1. Heard. This appeal has been filed by the appellant against the order dt. 25.8.2003 passed by the learned Single Judge in W.P. 2202/2000.
2. The appellant was enrolled in Air Force on 22.7.1981. He was allotted with the Trade of MT/Tech. Thereafter, he came in the trade of MT/Fit (Group-I) in Feb. 1985.
3. As per the appellant, in accordance with the policy decision of the Govt. of India, Ministry of Defence, a copy of which has been filed as Annexure P/1, trade of MT/Fit (Group-I) has been changed in the new trade as Missile Fitter mechanical (MF). The appellant further pleaded that he completed specialist vehicle GW course in March, 1986 and he was eligible for promotion at par with Mr. R.S. Tiwari, who was enrolled in service in 1983 after the appellant. He was also examined for promotion to the rank of GWO, however, he was not promoted to the post.
4. Respondents in their reply pleaded that the trade of the appellant is MT/Fit and no junior to the appellant was promoted. It is further pleaded that the trades of the appellant and Mr. R.S. Tiwari are quite different and the appellant could not claim promotion because there is no post.

5. Learned Single Judge has observed that the trade of the appellant and other persons are quite different and no junior to the appellant in his trade was promoted. Annexure P/1, on which the appellant has relied, has only conveyed sanction for change of nomenclature in Group-I trade in the establishment of various GW Units of the air force only and was not applicable in the case of the appellant. Those findings are recorded after proper appreciation of facts. Hence, in our opinion, there is no illegality in the order. Consequently, we do not find any merit in this appeal. It is hereby dismissed.