

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S).3818 OF 2011

UNION OF INDIA & ORS.

Appellant(s)

VERSUS

G. DHANARAJ & ORS.

Respondent(s)

O R D E R

The respondents filed O.A.No. 140 of 1999 before Central Administrative Tribunal, Ernakulam Bench seeking declaration that they are entitled to be considered for promotion to the post of Diesel Mechanical Technicians Grade III in the scale of Rs.3050-4590 on the basis of the rules existing prior to 31.8.1998. The OA was allowed and the appellants herein were directed to consider the respondents for promotion as Diesel Mechanical Technicians Grade III in posts that existed prior to 31.8.1998. The Writ Petitions filed by the appellant challenging the judgment of the Tribunal was dismissed by the High Court in view of the fact that the respondents were already promoted in the year 2000.

The only issue that remains for our consideration is whether the respondents are entitled

for promotion in the posts that existed prior to 31.08.1998 and get benefits with consequential benefits upon promotion to those posts.

There is no dispute that respondents were promoted on an *ad-hoc* basis on 16.06.1998. In the fact and circumstances of the case, we are of the opinion that the respondents are entitled for promotion as Diesel Mechanical Technicians Grade III *w.e.f.* 16.06.1998.

We, therefore, dispose of this appeal with a direction to the appellant to consider the respondent Nos. 1 to 3 for appointment as Diesel Mechanical Technicians Grade III on a regular basis *w.e.f.* 16.06.1998 with all consequential benefits.

Pending application(s), if any, stand disposed of.

..... J.
(L.NAGESWARA RAO)

..... J.
(M.R. SHAH)

New Delhi;
March 07, 2019.

ITEM NO.119

COURT NO.13

SECTION XI-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s).3818/2011

UNION OF INDIA & ORS.

Appellant(s)

VERSUS

G. DHANARAJ & ORS.

Respondent(s)

Date : 07-03-2019 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO
HON'BLE MR. JUSTICE M.R. SHAH

For Appellant(s) Mr. Surender Kumar Gupta,Adv.
Mr. Shankar Divate,Adv.
Mr. Raj Bahadur Yadav,Adv.
Mr. Prashant Rawat,Adv.
Mr. B. Krishna Prasad, AOR

For Respondent(s) Mr. P. V. Dinesh, AOR
Ms. Sindhu T.P.Adv.
Mr. Mukund P.Unny,Adv.
Mr. Bineesh K.Adv.

UPON hearing the counsel the Court made the following
O R D E R

The appeal is disposed of in terms of the
signed order.

(B.Parvathi)
Court Master

(Kailash Chander)
Assistant Registrar

(Signed order is placed on the file)