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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

O.A.NO.1102/2002

Monday, this the 29th day of April, 2002

Hon'ble Shri Justice Ashok Agarwal, Chairman  
Hon'ble Shri S.A.T. Rizvi, Member (A)

Shri S.P. Lalla  
S/O Late Shri S.R. Lalla  
R/O D-II/45, Andrews Ganj  
Working as Chief Engineer (Valuation)  
Income-tax Department, Rohit House,  
11th Floor,  
3-Tolstoy Marg,  
New Delhi-1

...Applicant

(Applicant in person)

Versus

1. Union of India  
through - The Secretary,  
Ministry of Urban Development & PA  
Nirman Bhawan, N. Delhi-11
2. The Director General of Works  
CPWD, Nirman Bhawan,  
New Delhi-11

..Respondents

O R D E R (ORAL)

Shri S.A.T. Rizvi:

Applicant, who has appeared before us in person, is Chief Engineer (Civil) in the CPWD. He is due for retirement in April, 2003. He is an aspirant for promotion to the post of Additional Director General (ADG) in the CPWD. All those who have completed five years of service as Chief Engineer are to be considered for promotion to the post of ADG. The applicant became Chief Engineer on 25.7.1996 and has thus completed more than five years of service as Chief Engineer. Eight vacancies in the post of ADG are to be filled during the year 2002-03. The panel for appointment against the aforesaid vacancies should have been prepared way-back in July, 2001 in accordance with the relevant instructions.

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The same has been badly delayed with the result that the applicant, who is going to retire in April, 2003, may not be able to secure promotion to the post of ADG. Based on this apprehension, the applicant has filed the present OA with a prayer for a direction to be given to the respondents to expedite the holding of the DPC meeting. He places reliance on the seniority list issued by the respondents vide Office Memorandum dated 17.10.2000 in which the applicant's name is shown at S1.No.28. According to the rules, the zone of consideration for promotion to the post of ADG will consist ~~of~~ of twenty Chief Engineers. Despite being at S1.No.28 of the aforesaid seniority list, the applicant will stand included in the zone of consideration in view of the fact that several others senior to him in the aforesaid list will have retired from service in the meanwhile. According to him, the record of his service is excellent and, therefore, he expects a favourable recommendation by the DPC in his case.

2. Having regard to the submissions made by the applicant and keeping in view the fact that he is going to retire from service in April, 2003, we are inclined to dispose of the present OA at this very stage even without issuing notices with a direction to the respondents to consider holding the next meeting of the DPC for the purpose of promotion of Chief Engineers to the post of ADG as expeditiously as possible and to consider the claim of the applicant in accordance with the rules. The applicant's case is that the DPC papers as required under the rules have already been submitted by the respondent

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No.2 (Director General of Works) to respondent No.1 (Secretary, M/O Urban Development) in November, 2001. In view of this, we direct the respondent No.1 to forward the aforesaid papers, if found by him to be in order, to the UPSC with a proposal for holding the next DPC meeting at the earliest possible. Respondent No.1 is further directed to take action as above within a period of one month from the date of receipt of a copy of this order. We direct accordingly.

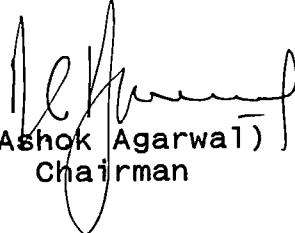
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3. The present OA is disposed of in the aforesated terms at the admission stage itself. No costs.

Issue Dasti.

  
(S.A.T. Rizvi)  
Member (A)

/sunil/

  
(Ashok Agarwal)  
Chairman