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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O. A. NO. 1576/2002

Friday, this the 7th day of June, 2002

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

L. P. Nirmal
OA-1576 S/o Shri Baboo Ram
Dy. Supdt. Gr.II
Central Jail, Tihar,
New Delhi.

Residential Address :

L. P. Nirmal
Dy. Supdt. Gr.II,
B-10, Officers' Flat,
Central Jail Complex,
Tihar, New Delhi-64.

....Applicant

(By Advocate : Shri S. K. Sinha)

Versus

1. Govt. of N.C.T. of Delhi
Through Lt. Governor,
Govt. of N.C.T. of Delhi.
Rajniwas, New Delhi.
2. The Chief Secretary,
5, Shyam Nath Marg,
Delhi-110006.
3. The Principal Secretary (Home)
Govt. of NCT of Delhi
New Delhi

....Respondents

ORDER (ORAL)

Justice Ashok Agarwal:

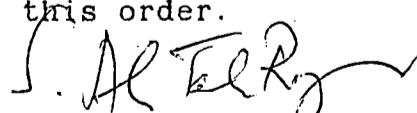
Applicant having been appointed as Assistant Superintendent in Central Jail Tihar on 3.7.1982 had become eligible for promotion to the post of Deputy Superintendent Grade.II on 3.7.1987. Respondents, however, did not hold a DPC for promotion to the said post during the period 1988-2000. The applicant had instituted an earlier OA-82/93 claiming promotions which was disposed of by an order passed on 3.2.2000 wherein a note was taken of the fact that a charge-sheet served on



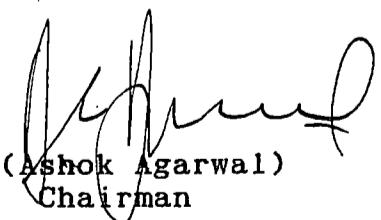
(3)

the applicant had since been withdrawn and hence the applicant had become entitled for consideration for promotion to the aforesaid post. A direction was accordingly issued for holding a DPC for promotion to the post of Deputy Superintendent Grade.II w.e.f. 1987 or during the following years. A DPC was accordingly held on 12.7.2001 and applicant has been promoted with effect from the aforesaid date of holding of the DPC. By the present OA, applicant seeks promotion from an earlier date, i.e., the date when he became eligible for promotion or during subsequent years when he is found fit, and in compliance with the directions issued in the aforesaid OA. Applicant has submitted a representation on 25.9.2001 (page 24). No decision thereon has so far been given.

2. In the circumstances, we find that the interests of justice will be duly met by disposing of the present OA at this very stage even without issue of notices with a direction to the respondents to pass a reasoned and a speaking order on the aforesaid representation keeping in mind the directions already issued by this Tribunal on 3.2.2000 in OA-82/93 and in keeping with the year-wise panel required to be considered for promotion to the aforesaid post of Deputy Superintendent Grade.II. Respondents will treat the present OA also as an additional representation while passing orders as above. Aforesaid order be issued expeditiously and within a period of three months from the date of service of a copy of this order.



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



(Ashok Agarwal)
Chairman

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