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Central Administrative Tribunal, Principal Bench

Original Application No.2631 of 2002

New Delhi, this the 26th day of May, 2003

Hon'ble Mr. Justice V.S. Aggarwal, Chairman  
Hon'ble Mr. Govindan S. Tampi, Member (A)

Lekh Raj  
S/o late Shri Ram Chand  
R/o Flat No. 741-A, Pkt. II  
Paschim Puri,  
New Delhi-63

.... Applicant

(By Advocate: Ms. Harvinder Oberoi, proxy for Shri Arun Bhardwaj)

Versus

1. Govt. of N.C.T. of Delhi  
Through its Chief Secretary,  
Players Building, ITO  
Delhi.
2. Secretary,  
Services Department  
Secretariat of GNCT  
Players Building,  
7th Level, 'B' Wing,  
I.P. Estate, New Delhi
3. Joint Secretary,  
Services Department  
Services-I Branch,  
Secretariat of GNCT  
Players Building,  
7th Level, 'B' Wing,  
I.P. Estate, New Delhi
4. Divisional Commissioner  
Govt. of N.C.T. of Delhi,  
Tis Hazari Court,  
Delhi

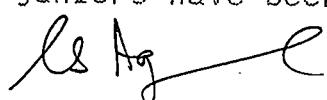
.... Respondents

(By Advocate: Shri Vijay Pandita)

O R D E R (ORAL)

By Justice V.S. Aggarwal, Chairman

The applicant by virtue of the present application seeks a direction for convening a review DPC and consider his name for promotion to Grade-I DASS/Superintendent. He further prays that he should be promoted from the date his juniors have been so promoted.



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2. During the course of submissions, it was pointed that departmental proceedings had been initiated against the applicant some time in the year 1995. It is also not in dispute at either end that as against certain other persons, over similar dereliction of duty, the charges have since been dropped in the year 2001. Thereafter the applicant has submitted a representation for dropping the proceedings against him in August 2002 but no final decision has been taken. It is these departmental proceedings which are stated to be the basic hurdle in considering the name of the applicant for promotion.

3. Keeping in view these facts, the present application is disposed of with the directions:

- (a) the representation of the applicant pertaining to dropping of the charges against him should be considered and a speaking order should be passed within three months from today;
- (b) if there is any departmental proceeding still to be continued after the decision is taken as referred to in (a) above, the same must be concluded in accordance with law within a period of three months from the decision to be taken in paragraph 3 (a) above.

Govindan S. Tampli )  
Member(A)

/dkm/

*V.S. Aggarwal*  
( V.S. Aggarwal )  
Chairman