

Central Administrative Tribunal, Principal Bench

Original Application No.368 of 2002

New Delhi, this the 13th day of February, 2002

Hon'ble Mr. Justice Ashok Agarwal, Chairman  
Hon'ble Mr. S.R. Adige, Vice Chairman(A)

Shri Devraj Dhawan,  
R/o 5/42, Patel Gali,  
Vishwas Nagar, Delhi-32  
presently posted as UDC Govt. Co-education  
Senior Secondary School, Issapur,  
Delhi-73

- Applicant

(By Advocate: Shri Vijay Sharma)

Versus

1. Chief Secretary,  
Govt. of NCT of Delhi  
Delhi Secretariat  
I.P. Estate,  
New Delhi-110002
2. Secretary(Services)  
Govt. of NCT of Delhi  
Delhi Secretariat  
I.P. Estate,  
New Delhi-110002
3. Deputy Secretary(Services)  
Services-II Department  
Govt. of NCT of Delhi  
Delhi Secretariat  
I.P. Estate,  
New Delhi-110002
4. Director of Education,  
Govt. of NCT of Delhi  
Old Secretariat  
Delhi-110054
5. Joint Director of Education(Admn),  
Govt. of NCT of Delhi  
Old Secretariat  
Delhi-110054
6. Deputy Director of Education,  
District South-West (B)  
School Complex,  
Najafgarh,  
New Delhi-110043

- Respondents

O R D E R(ORAL)

By Justice Ashok Agarwal, Chairman

Applicant had earlier approached this Tribunal  
by instituting OA No.549/2001 wherein he had challenged the


order of suspension which had been issued pending disciplinary proceedings contemplated <sup>against him and</sup> in view of the prosecution of the applicant in a criminal trial. On his being acquitted, disciplinary proceedings against him were dropped by an order passed on 24.4.2001. This was done during the pendency of the aforesaid OA. In the order dropping disciplinary proceedings, his period of suspension was directed to be treated as spent on duty and his pay and allowances relating to the period of suspension, were directed to be released to him.

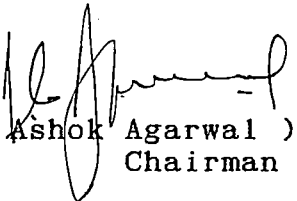
2. Applicant in the aforesaid OA had also claimed benefit of seniority and promotions. The same, however, could not be considered as he had not impleaded the concerned Principal Secretary of the Services Department who was the Cadre Controlling Authority of the applicant. Aforesaid OA was disposed of by an order passed on 16.7.2001 granting liberty to the applicant to institute a fresh OA relating to the claim for seniority and promotion, impleading the appropriate authorities. Based on the liberty granted, applicant by impleading the Principal Secretary of the Services Department, has filed the present OA. Prior to the filing of the OA, applicant has submitted his representations dated 13.8.2001 (Annexure A-8) and 17.1.2002 (Annexure A-9). No response has so far been issued by the respondents to him.

3. In the circumstances, we find that interests of justice will be duly met by disposing of the present OA at this stage itself even without issue of notices with a

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direction to the respondents to pass suitable orders on the aforesaid representations expeditiously and in any event within a period of six weeks from the date of service of a copy of this order. We direct accordingly. Present OA is disposed of in the aforestated terms.

  
( S.R. Adige )  
Vice Chairman(A)

  
( Ashok Agarwal )  
Chairman

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