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Central Administrative Tribunal: Principal Bench

O.A. No. 1938/2002 and
O.A. No. 1944/2002

This the 1st day of August, 2002

Hon'ble Smt. Lakshmi Swaminathan, Vice-Chairman (J)
Hon'ble Shri V.K. Majotra, Member (A)

OA No. 1938/2002

Shri Madan Lal,
S/o Late Shri Bhoop Singh,
R/o WZ-982, Nangal Rai,
Pankha Road, New Delhi-46.

-Applicant

(By Advocate: Shri S.K. Gupta)

Versus

1. Govt. of NCT of Delhi,
Through Chief Secretary,
Delhi Secretariat,
IG Stadium, IP Estate,
New Delhi.
2. Secretary (Finance),
Govt. of NCT of Delhi,
Delhi Secretariat,
IG Stadium, IP Estate,
New Delhi.
3. Principal Secretary-cum-Director,
Directorate of Training and
Technical Education,
Muni Maya Ram Marg,
Pitam Pura, New Delhi.

-Respondents

OA No. 1944/2002

Shri M.M. Siddiqui,
S/o Mohd. Yusuf Siddiqui,
R/o 1498, Gali Kasim Jaan,
Lal Kuan, Delhi-110 006.

-Applicant

(By Advocate: Shri S.K. Gupta)

Versus

1. Govt. of NCT of Delhi,
Through Chief Secretary,
Delhi Secretariat,
IG Stadium, IP Estate,
New Delhi.
 2. Secretary (Finance),
Govt. of NCT of Delhi,
Delhi Secretariat,
IG Stadium, IP Estate,
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 3. Principal Secretary-cum-Director,
Directorate of Training and
- /b

Technical Education,
Muni Maya Ram Marg,
Pitam Pura, New Delhi.

-Respondents

ORDER (Oral)

Hon'ble Shri V.K. Majotra, Member (A)

The issues involved in the above two OAs being common, they are being disposed of by this common order.

2. Applicant in OA-1944/2002 was appointed as Lecturer in Accountancy on 30.11.1972 in the scale of Rs.550-900, revised to Rs.1640-2900 in view of Fourth Pay Commission's recommendations. Shri Madan Lal, applicant in OA-1938/2000 was appointed as such w.e.f. 3.8.1973.

3. Government of India, Ministry of Finance, introduced a Scheme on 13.9.1991, namely, In-Situ Scheme, with a view to remove stagnation by placing an employee, who is stagnated, in the next higher grade. Applicants, Shri M.M. Siddiqui claims the benefit of the aforesaid Scheme w.e.f. 1.1.89, and Shri Madan Lal w.e.f. 1.8.92 respectively. Learned counsel stated that whereas Shri M.M. Siddiqui has retired on 31.8.98, Shri Madan Lal is still in service. Learned counsel pointed out that one Shri R.C. Hasija who was similarly placed as these applicants was granted In-Situ promotion by an order dated 1.2.2002 (Annexure A-2) and has been placed in the scale of Rs.2000-3200 with date of next increment as on 1.4.92. Shri R.C. Hasija had retired on 31.10.97. The applicants claim a


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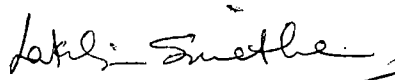
similar benefit as Shri R.C. Hasiya in terms of In-Situ promotion Scheme (Annexure A-1).

3. Learned counsel stated that these applicants have made representations seeking grant of In-Situ promotion vide Annexure A-3 dated 15.2.2002 on the basis of the case of Shri R.C. Hasiya, their colleague.

4. In our view, interest of justice would be duly served if at this stage itself and without issuing notice to respondents, they are directed to dispose of the representation of the applicants on the ground that they are similarly situate as their colleague Shri R.C. Hasiya, by passing a reasoned and speaking order within a period of two months from the date of receipt of a copy of this order. Ordered accordingly. Respondents are directed to treat the present OAs as supplementary representations on behalf of the applicants.

5. Let a copy of this order be placed in O.A No.1944/2002.


(V.K. Majotra)
Member (A)


(Smt. Lakshmi Swaminathan)
Vice-Chairman (J)

cc.