

Central Administrative Tribunal
Principal Bench

O.A. No. 2067 of 2002

New Delhi, this the 21st day of August, 2002

HON'BLE SMT. LAKSHMI SWAMINATHAN, VICE-CHAIRMAN (J)
HON'BLE MR. S.A.T. RIZVI, MEMBER (A)

Shri Ved Pal,
S/o Shri Chandan Singh,
Presently working as Sub Officer,
Mayur Vihar Fire Station,
I.P.Extension,
New Delhi-110092.Applicant.
(By Advocate: Shri S.K.Gupta)

Versus

1. Govt. of NCT of Delhi,
Through Chief Secretary,
Delhi Secretariate
I.G.Stadium, I.P.Estate,
New Delhi.
2. Principal Sectretary (Home),
Delhi Secretariate
I.G.Stadium, I.P.Estate,
New Delhi.
3. Chief Fire Officer,
Delhi Fire Service,
Fire Headquarters,
Connaught Circus,
New Delhi.Respondents.

ORDER(ORAL)

By Hon'ble Smt. Lakshmi Swaminathan, Vice-Chairman(J).

We have heard learned counsel for the applicant.

2. The applicant's grievance in this OA is that the respondents are not holding the DPC in accordance with the Government of India's instructions dated 8.9.1998 read with those of 13.10.1998 with regard to the vacancies which are lying vacant or are anticipated in the Office. According to the applicant, he is fully eligible for promotion as Sub-Station Officer (STO) as he

YB:

has fulfilled the required qualifications for the feeder grade of Sub-Officer. Learned counsel has also submitted that the applicant also possesses the certificate required under the relevant recruitment rules for promotion to the post of Sub-Station Officer. Learned counsel ^{has} submitted that in the seniority list of Sub-Station Officers, the persons upto the Sl. No. 78 have already been promoted as STOs and applicant's name is shown at Sl. No. 82. In this regard, learned counsel has drawn our attention to the representation made by the applicant dated 24.4.2002 followed by a reminder to the respondents, that is, Respondent No.2. Learned counsel has also contended that in accordance with the aforesaid Government of India/ DOFT's instructions, the respondents ought to take action with regard to the anticipated vacancies also, in which case the applicant would be within the consideration zone for promotion to the post of Sub-Station Officer. He has submitted that no reply has been received by the applicant to his representations.

3. In the facts and circumstances of the case, we consider it proper to dispose of this OA with the direction to Respondent No.2 to consider the aforesaid representations made by the applicant and take appropriate action by holding a DPC as early as possible, in accordance with the Government of India/DOPT's relevant rules and

instructions on the subject. This shall be done within a period of one month from the date of receipt of a copy of this order with intimation to the applicant. It is needless to say that if the vacancies are existing, it is only proper for the respondents to fill ~~up~~ ^{up to} them in accordance with the relevant instructions on the subject.



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



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

/kd/