

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. NO.1552/2002

New Delhi this the 6th day of June, 2002

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN

HON'BLE SHRI S.A.T.RIZVI, MEMBER (A)

Shri O.K.Dabas
S/o Shri Kanhiaya Lal
R/o Village & P.O.Majra Dabas
(Budhanpur)
Delhi-110 081. Applicant

(By Shri Rajeev Sharma, Advocate)

-versus-

1. Ministry of Human Resources Development
(Through its Secretary)
Department of Education
Shastri Bhavan
New Delhi-110 001.
2. National Council of Educational Research &
Training (Through its Director)
Sri Aurbindo Marg
New Delhi. ... Respondents

O R D E R (ORAL)

S.A.T.Rizvi:-:-

Applicant, a Store Officer in the NCERT has become eligible for promotion to the post of Senior Store Officer in accordance with the relevant recruitment rules (Annexure-II). He has already served as Store Officer for more than 5 years and the NCERT for more than 10 years and ~~he~~ is thus qualified for promotion in accordance with the aforesaid rules. The rules further provide that on vacancies in the post of Senior Store Officer occurring, the respondents will first explore the

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possibility of promoting the Store Officers subject to availability and eligibility. They can opt for deputation and direct recruitment methods only if they find that none eligible for promotion is available in the NCERT. There are four posts of Store Officers in the NCERT held by persons shown in Annexure -I. Those at Sl.Nos.1 &2 have already retired leaving the applicant and another namely Shri J.P.Bhulania in the field. Aforesaid Shri J.P.Bhulania is not yet eligible and thus the applicant is the only person who is eligible and can be considered for promotion to the post of Senior Store Officer. Despite this position, the respondents have issued an advertisement in the Employment News dated 23-29 June 2001 (Annexure-III) showing therein that the post of Senior Store Officer was to be filled on deputation basis. This, according to the applicant, is contrary to the provisions made in the recruitment rules. Hence the grievance.

2. In order to seek redressal, the applicant has filed a representation in the matter on 27.6.2001 (Annexure -V). This representation is yet to be disposed of.

3. Having regard to the submissions made by the learned counsel and the aforesaid facts and circumstances, we find it in order to dispose of the present OA at this very stage even without

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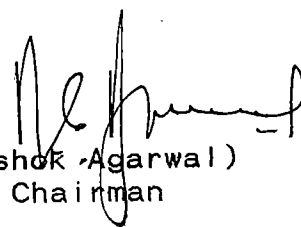
issuing notices with a direction to the respondents to consider the aforesaid representation and to pass a reasoned and a speaking order thereon within a period of two months from the date of receipt of a copy of this order. We direct accordingly. We also direct the respondents not to make any appointments in pursuance of the aforesaid advertisement until orders as above have been passed and for a period of 15 days thereafter.

4. Present OA is disposed of in the aforestated terms.

Issue dasti.



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



(Ashok Agarwal)
Chairman

/sns/