

2

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.1984/2002

Tuesday, this the 30th day of July, 2002

Hon'ble Shri Justice Ashok Agarwal, Chairman
Hon'ble Shri S.A.T. Rizvi, Member (A)

M.R. Sharma
s/o late Bharat Singh
R/O E-3, Type-III
Safdarjung Hospital Staff Qrs.
Kidwai Nagar (West)
New Delhi - 23

..Applicant

(By Advocates: Shri K.C.Mittal and Shri Harvir Singh)

Versus

1. Principal &
Medical Superintendent
VMMC & Safdarjung Hospital
New Delhi
2. Asstt. Medical Superintendent
O/o the Medical Supdt.
Safdarjung Hospital
New Delhi
3. Secretary to Govt. of India
Ministry of Health & Family Welfare
Nirman Bhawan, New Delhi
4. Dy. Director (Admn.)
O/o the Medical Supdt.
Safdarjung Hospital
New Delhi

..Respondents

O R D E R (ORAL)

Shri S.A.T. Rizvi:

We have heard the learned counsel for the applicant.

2. Initially appointed as Hawaldar in Safdarjung Hospital, the applicant became a Caretaker and was confirmed in that post on 16.12.1988. He is an aspirant for promotion to the post of Sanitary Superintendent (SS). The relevant rules (A-1) provide that the post of SS can be filled by promotion failing which by direct
- 2

3

(2)

recruitment. For purposes of promotion, a Caretaker is required to possess ten years of regular service in the grade of Caretaker. The promotion is to be made by following the selection process. The learned counsel appearing on behalf of the applicant submits that the applicant is the senior-most person among the Caretakers and besides he possesses sufficient merit so as to be selected for the post of SS in the event of the DPC being held in the immediate future. Accordingly, a representation has been made on 1.7.2002 requesting the respondents to hold a DPC to consider the applicant's candidature for the post of SS. To this, there has been no response so far.

3. We have considered the submissions made by the learned counsel and find that the seniority list placed at A-2 is an interim list and objections thereto have been invited from individual Caretakers, etc. with a view to finalizing the same. The last date fixed for objections indicated in the aforesaid list is 12.7.2002. It is presumed, therefore, that the respondents are in the process of considering the claims made by the various Caretakers, etc. and would be in a position to issue a final seniority list expeditiously. In view of this, we are inclined to take the view that the ends of justice will be duly met in the present OA by disposing it of at this very stage even without issuing notices with a direction to the respondents to issue a final seniority list expeditiously and in any event within a period of one month from the date of receipt of a copy of this order.

Thereafter, the respondents will hold a DPC in accordance


4

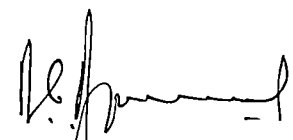
(3)

with the relevant rules and instructions on the subject and while doing so, also consider the claim of the applicant for promotion to the post of SS. This they should do speedily and, to the extent the relevant instructions permit, within a period of three months from the date of receipt of a copy of this order. We direct accordingly.

4. The present OA is disposed of in the aforestated terms at the admission stage itself.

Issue Dasti.


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


(Ashok Agarwal)
Chairman

/sunil/