

2

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

OA 1841/2002  
with  
OA 1844/2002

New Delhi this the 31st day of July, 2002

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

OA 1841/2002

Sat Pal Singh Rana  
S/O Shri Hargian Singh  
A/4/3, DDU Hospital Complex,  
Hari Nagar, New Delhi-64

..Applicant

(By Advocate Sh. A. K. Datta, learned  
counsel through proxy counsel  
Shri S. Mehdi Imam )

VERSUS

1. The Secretary (Medical),  
Govt. of NCT of Delhi,  
5, Sham Nath Marg, Delhi.
2. Addl. Secretary-cum-Principal  
Hospital Co-ordinator, 9th  
level, Delhi Sachivalaya,  
I.P. Estate, New Delhi.
3. Medical Superintendent  
DDU Hospital, Hari Nagar,  
New Delhi-110064

..Respondents

OA 1844/2002

Shri Anand Kumar,  
S/o Shri Raghubir Singh  
A/4/3, DDU Hospital Complex,  
Hari Nagar, New Delhi-64

..Applicant

(By Advocate Shri A. K. Datta, learned  
counsel through proxy counsel Shri  
S. Mehdi Imam )

VERSUS

1. Secretary (Medical),  
Govt. of NCT of Delhi,  
5, Sham Nath Marg, Delhi
  2. Addl. Secretary-cum-Principal  
Hospital Co-ordinator  
9th Level, Delhi Sachivalaya,  
I.P. Estate, New Delhi.
- 12

3

-2-

3. Medical Superintendent,  
DDU Hospital, Hari Nagar,  
New Delhi-110064

..Respondents

O R D E R (ORAL)

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

As the facts and issues raised in the aforesaid two OAs are similar, accordingly they are being disposed of by this common order.

2. Learned proxy counsel of the applicant, stated that the applicants are aggrieved by their supersession in the matter of promotion to the post of Assistant (Group II/OT), while 13 junior persons have been promoted by order Annexure E un-dated on the basis of DPC meeting held on 16.5.2001. He submits that one Shri Naresh Kumar S/O Shri Rajinder Prasad, Serial No.100 in the final seniority list of Nursing Order ~~is~~ as on 30.8.1997 (Annexure A) is stated to have been promoted over the claim of the applicants, whereas the applicants' names are appearing at Serial numbers 79 and 86, respectively. He has further stated that the post of Assistant (Group II OT) is non selection post and promotion has to be made on the basis of seniority only. However, the applicants' though eligible have been by-passed. The applicants have sought a direction to the respondents to consider their cases for promotion to the post of Assistant (Group II/ OT) from the date their junior, particularly Shri Naresh Kumar, has been promoted with all consequential benefits.

3. Having regard to the claims made on behalf of the applicants, we are of the considered view that interest of

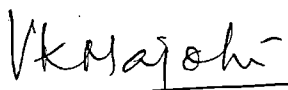
↙

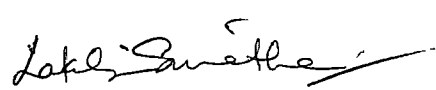
justice will be duly served, if at this stage itself and without issuing notice to respondents, this OA is disposed of with the following directions;-

The applicants may make representations to the respondents in the first instance which should be duly considered and disposed of by the respondents by a reasoned and speaking order within two months from the date of receipt of their representations.

Ordered accordingly.

4. Let a copy of this order be placed in OA 1844/2002.

  
(V.K. Majotra )  
Member (A)

  
(Smt. Lakshmi Swaminathan )  
Vice Chairman (J)

sk