

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

O.A. NO. 1604/2001  
M.A. NO. 1355/2001

New Delhi this the 4th day of July, 2001.

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN

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

Ram Kartar,  
Ex-Peon, Salex Tax Department,  
R/O Vill. Pandwala Khurd,  
P.O. Pandwala Kalan,  
Delhi-110043.

... Applicant

( By Shri S.C.Saxena, Advocate )

-versus-

1. Secretary (Services),  
Services-II Department,  
Government of Delhi,  
near ITO, New Delhi.

2. Commissioner,  
Sales Tax Department  
(Establishment Branch),  
Govt. of NCT of Delhi,  
Bikrikar Bhawan,  
ITO, New Delhi.

... Respondents

O R D E R (ORAL)

Shri Justice Ashok Agarwal:-

Applicant had joined the Sales Tax Department as a Peon on 25.7.1962 and retired on the same post without being given any promotion on 30.6.1999. While in service as also after retirement he had made representations seeking promotion. By an order of 21.9.1999 at Annexure-H, vigilance reports in respect of various candidates including that of the applicant were called for. By the impugned order No.132 dated 29.6.2000 at Annexure-I promotions were granted to various candidates who were even junior to the applicant. Applicant, however, has been left-out of

*W.J.*

the list of candidates who have been granted promotion. Applicant has submitted various representations claiming promotion copies whereof are annexed at Annexures D-4 to D-7. No reply thereto has been issued by the respondents. Though the representation at Annexure D-7 is dated 22.8.2000 which is after the issuance of the impugned order of 29.6.2000, applicant has omitted to make a mention of the aforesaid promotions in the said representation.

2. In the circumstances, we find that the interest of justice will be duly met by disposing of the present OA at this stage itself <sup>even</sup> without issuing notices by giving liberty to the applicant to submit a fresh representation in the light of the impugned order of promotion of 29.6.2000 and thereby claim his due promotion. On such representation being made, respondents will pass a speaking order on the said representation expeditiously and in any event, within a period of one month from the date of submission of the representation by the applicant. We direct accordingly.

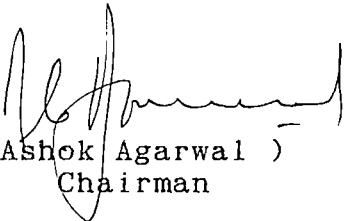
3. MA No.1355/2001 has been submitted for condonation of delay. We find that the respondents had by their order of 21.9.1999 called for vigilance reports and the impugned order of promotions has been issued on 29.6.2000. Applicant had earlier instituted OA No.1424/2001 which was disposed of by granting liberty to him by an order of 1.6.2001. Applicant has



instituted the present OA on 2.7.2001. As such there is apparently no delay in instituting the present OA. However, the MA is granted and delay, if any, is condoned.



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



( Ashok Agarwal )  
Chairman

/as/

✓