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Central Administrative Tribunal, Principal Bench

Original Application No.1739 of 2001

New Delhi, this the 17th day of July, 2001

Hon'ble Mr. Justice Ashok Agarwal, Chairman
Hon'ble Mr. V.K. Majotra, Member(A)

Shri Mohan Singh
S/o Shri Het Ram
Trained Graduate Teacher (Mathematics)
Government Boys Sr. Secondary School,
Seemapuri, Delhi.

- Applicant

(By Advocate: Sh. B.S. Mainee)

Versus

Lt. Governor, Govt. of NCT of Delhi

through

- 1.. The Chief Secretary,
Govt. of NCT of Delhi,
Old Secretariat,
Delhi.
- 2.. The Director of Education,
Govt. of NCT of Delhi,
Old Secretariat,
Delhi.
- 3.. The Dy. Director of Education,
North East,
Govt. of NCT of Delhi,
Yamuna Vihar,
Delhi.

Respondents

O R D E R (ORAL)

By Justice Ashok Agarwal, Chairman

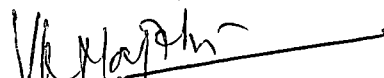
Applicant was appointed as a Trained Graduate Teacher (Maths) by an order passed on 15.12.1992. In the list of candidates who had been appointed at Annexure A-1, applicant has been arrayed at S.No.31. One Shri Laxman Singh who was similarly appointed, has been arrayed at S.No.46, ~~in the list of candidates appointed on 15.12.92 at Annexure A-1~~. A seniority list was thereafter prepared on 24.7.97 at Annexure A-2 wherein applicant has been arrayed at S.No.1608 whereas the aforesaid Shri Laxman Singh at S.No.1621. Applicant is now an aspirant for promotion to

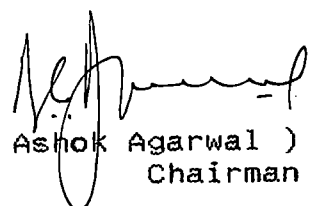
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the post of Post Graduate Teacher (Physics) as he is a M.Sc. in Physics. However, he has recently learnt that the ACRs of Shri Laxman Singh, who is junior to him, have been called which clearly indicates that he is being considered for promotion over the head of the applicant. Applicant, in the circumstances, submitted a representation on 9.7.2001 at Annexure A-3. Though no reply has been given, enquiries have revealed that his name has been omitted by mistake. No written reply has so far been given by respondents.

2. Having regard to the aforestated facts, we find that the interest of justice would be duly met by disposing of this OA at this stage itself even without issue of notice with a direction to respondents to intimate their reply to the applicant's representation at Annexure A-3 by passing a reasoned and speaking order and in case, applicant is found eligible for being considered for promotion to the post of Post Graduate Teacher, his claim should also be considered along with the claim of Shri Laxman Singh. Till such time a decision on the representation of the applicant is given, no final orders for promotion of aforesaid Shri Laxman Singh be issued. We direct accordingly.

Issue DASIL.


(V.K. Majotra)
Member(A)


(Ashok Agarwal)
Chairman

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