

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. NO. 231/2001

New Delhi this the 30th day of January, 2001.

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HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN

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

Mrs. Rita Roy W/O Deepak Roy,
R/O AG-I/43-B, Vikas Puri,
New Delhi-18.

... Applicant

(By Shri M.C.Dhingra, Advocate)

-versus-

1. Union of India through
Secretary, Ministry of Home Affairs,
Govt. of India, North Block,
New Delhi.
 2. Director General,
Bureau of Police Research & Development,
Ministry of Home Affairs,
Government of India,
Block No.11, 3rd & 4th Floor,
CGO Complex, Lodhi Road,
New Delhi-110003.
 3. Mrs. Indu Naswa,
Stenographer Grade-III,
C/O Respondent No.2.
 4. Harjit Singh,
Stenographer Grade-III,
C/O Respondent No.2.
- ... Respondents

O R D E R (ORAL)

Shri S.A.T.Rizvi, Member(A):

Aggrieved by her case for promotion to Stenographer Grade-II not being considered by the respondents on the basis of the DPC held in August, 1998, the applicant has filed this OA praying for a direction to the respondents 1 and 2 not to hold a fresh DPC. The applicant represented against her case not being considered as above by her representations made in May, 2000 and December, 2000. The later representation filed by the applicant has succeeded in

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eliciting a reply from the respondents. A copy thereof has been brought to our notice by the learned counsel appearing for the applicant and the same is taken on record. The aforesaid letter is in the form of an office memorandum dated 29.1.2001 which seeks to inform the applicant that the validity of the panel formed by the earlier DPC has already outlived its life and in these circumstances it would not be possible for the respondents to consider her request for promotion on the basis of the recommendations of the earlier DPC. We are aware that the DPC recommendations whether for selection posts or for non-selection posts have a life as prescribed under the relevant rules. In the present case also the recommendations made by the earlier DPC of August, 1998 would naturally cease to be valid after the expiry of the life prescribed under rules. We find that the respondents have correctly followed the relevant rule in this regard and have on that basis rejected the applicant's prayer for promotion on the basis of the earlier DPC. We see no harm if a fresh DPC is now held in which the applicant would no doubt be considered along with others and subject to the necessary conditions being fulfilled, would stand included in the panel once again.

2. That being so, we do not find any ground for interfering in the matter. The OA is accordingly dismissed in limine.

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

Ashok Agarwal
(Ashok Agarwal)
Chairman