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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.2887/01

Monday, this the 22nd day of April, 2002

Hon'ble Mrs. Lakshmi Swaminathan, Vice Chairman (J)
Hon'ble Shri S.A.T. Rizvi, Member (Admn)

Arun Kumar Chaudhary,
Lecturer, Commercial & Secretarial Institute
Shakarpur, Delhi-92

R/O 8-IV, Kasturba Polytechnic Campus
Pitampura, Delhi-88

..Applicant

(By Advocate: Shri S.K.Sinha)

Versus

1. Govt. of NCT of Delhi
through its Chief Secretary
I.P.Estate, New Delhi-2
2. Directorate of Training & Technical Education
Govt. of NCT of Delhi
through its Principal Secretary-cum-Director
Muni Maya Ram Marg, Pitampura, Delhi-88
3. The Joint Secretary-cum-Joint Director
Govt. of NCT Delhi
Directorate of Training & Technical Education
Muni Maya Ram Marg, Pitampura, Delhi-88
4. The Deputy Director (Training)
Govt. of NCT of Delhi
through its Principal Secretary-cum-Director
Muni Maya Ram Marg, Pitampura, Delhi-88
5. Deputy Educational Adviser (Tech.)
Ministry of Human Resource Development,
Govt. of India, New Delhi
6. Ministry of Finance
Department of Expenditure, Govt. of India
New Delhi
7. Shri B.S.Negi
Vice Principal/Acting Principal
Commercial & Secretarial Institute
Shakarpur, Delhi-92

..Respondents

(By Advocate: Mrs.Sumedha Sharma)

O R D E R (ORAL)

Hon'ble Shri S.A.T. Rizvi, M.(A):

Applicant, who was appointed as Lecturer in the
Commercial and Secretarial Institute (CSI), Shakarpur,

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Delhi in 1976, became eligible for consideration for promotion to the post of Principal of the Institute after completion of five years of service. The post of Principal fell vacant on 30.6.1985 and has not been filled up thereafter. One Shri Roop Chand Hasija also an aspirant for promotion to the post of Principal, came up before this Tribunal in 1991 by filing OA-2282/91. The same was decided on 11.12.1995 with a direction to the official respondents to take up the matter regarding revival of the post of Principal with the Govt. of India, Ministry of Finance through ^{the} Department of Home Affairs. There has not been much of progress ever since with the result ^{that} the post of Principal is yet to be revived. The claim of the applicant as also of all the other persons eligible to be considered for promotion to the said post, can be taken up only after the post has been revived.

2. The learned counsel appearing on behalf of the respondents has produced before us copies of four different letters written by the Directorate of Training & Technical Education (DT&TE), Govt. of NCT of Delhi to the Ministry of Human Resource Development, Govt. of India seeking revival of the post of Principal, CSI. We have perused the aforesaid letters and find that the DT&TE has been making valiant efforts to seek revival of the said post. The last letter was issued by the DT&TE to the Ministry of HRD on 15.10.2001.

3. In order to look after the administrative responsibilities of the CSI effectively, the respondents have appointed one Shri B.S. Negi as Vice Principal of

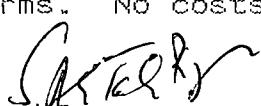
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the Institute and he has been authorised to function as administrative and academic head of the Institute with powers of the Head of the Office also delegated to him. The learned counsel appearing on behalf of the applicant has challenged the aforesaid Office Order of 25.5.2001 on the ground that the said Shri Negi is an outsider and, therefore, could not have been appointed as Vice Principal. We have considered ^{& the matter} and find no substance in this plea inasmuch as Shri Negi's appointment as Vice Principal cannot affect the promotional chances of the applicant for the post of Principal.

4. Having regard to the submissions made by the learned counsel on either side and the aforesated facts and circumstances and also keeping in view the order passed by this Tribunal in OA-2282/1991, we find it in order, just and fair to dispose of the present OA with a direction to the respondent Nos. 5 & 6, who have already been served with notices, to consider the matter regarding revival of the post of Principal of CSI, Shakarpur, Delhi expeditiously and take a final decision within a maximum period of four months from the date of receipt of a copy of this order. Needless to add that after ^{the} post of Principal has been revived, the respondents will proceed to make selections therefor in accordance with the rules and instructions on the subject.

5. The present OA is disposed of in the aforesated terms. No costs.


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


(Mrs. Lakshmi Swaminathan)
Vice Chairman (J)

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