

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA No.324/2001

New Delhi, this the 13th day of February, 2002

HON'BLE MR. JUSTICE ASHOK AGARWAL, CHAIRMAN
HON'BLE MR. S.R.ADIGE, VICE-CHAIRMAN (A)

Smt. Dropadi Seth
W/o Shri S.K. Seth
R/o B-133, Kidwai Nagar East
New Delhi.

... Applicant

(By Advocate Shri S.K. Anand)

V E R S U S

Union of India through

1. The Secretary
Government of India
Ministry of Finance
North Block
New Delhi.
 2. The Chairman
Central Board of Excise & Customs
Department of Revenue
Ministry of Finance
North Block
New Delhi.
 3. The Director of Statistics & Intelligence
DLF Centre, Greater Kailash-II
New Delhi-110048.
- ... Respondents

(By Shri K.C.D. Gangwani, Advocate)

ORDER (ORAL)

S.R. Adige:-

Applicant who is physically disabled, has impugned respondents' order dated 24.1.2001 (Annexure A/1), and seeks a direction to the respondents to promote her to the post of Assistant Director (O.L.) on regular basis in the grade of Rs.6500-10500/- with effect from 8.9.2000, when the other similarly placed colleagues of the applicant were so promoted, with consequential benefits.

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2. We have heard applicant's counsel Shri S.K.Anand and respondents' counsel Shri K.C.D.Gangwani.

3. Shri Gangwani has invited our attention to paragraph 5 of the respondents' reply wherein it has been conceded that a post of Assistant Director (Official Language) has been identified for being filled up by a disabled person, but the same is yet to be notified.


4. In this connection, Shri Anand states that a vacancy of Assistant Director (O.L.) already existed since 9.7.2001, and applicant being, in any case the seniormost in the feeder grade even otherwise is entitled to be considered for promotion against that post. This assertion is denied by Shri Gangwani, but even so, having regard to the fact that the respondents in their reply have stated that a post of Assistant Director (Official Language) has been identified for being filled up by a disabled person, which is yet to be notified, we dispose of the OA with a direction to the respondents to notify the aforesaid post within three months from the date of receipt of a copy of this order, and within that period make selection in accordance with the rules and instructions to the post so notified, and while doing so also consider applicant's claim for that post.


5. Meanwhile till the aforesaid directions are implemented, the interim order passed on 12.2.2001 restraining the respondents from implementing the impugned order shall continue.

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6. OA is disposed of accordingly. No order as to costs.


(S.R. Adige)
Vice Chairman (A)


(Ashok Agarwal)
Chairman

/sns/