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Central Administrative Tribunal  
Principal Bench

O.A. No. 1024 of 1999

New Delhi, dated this the 6 <sup>February</sup> ~~February~~, 2001

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)  
HON'BLE DR. A. VEDAVALLI, MEMBER (J)

1. Madhu Bala,  
W/o Shri C.P. Sharma,  
K.M. 168, New Kavi Nagar,  
Ghaziabad, U.P.
2. Usha Verma,  
W/o Shri Ashok Kumar Verma,  
K-3923, Shanti Mohalla,  
Gali No. 13, Raghupura-2,  
Gandhi Nagar,  
Delhi-110051.
3. Nirmala Choudhary,  
W/o Shri R.K. Choudhary,  
R/o DG-II, 43-B, SFS Flats,  
Vikaspuri,  
New Delhi-110018.
4. Sunil Kumar Mehta,  
S/o Shri P.P. Mehta,  
A-2A/4, Janakpuri,  
New Delhi-110018.
5. Ram Prakash Mudgil,  
S/o Shri Sardar Singh,  
RZ J-76, Old Roshanpura,  
Najafgarh,  
New Delhi-110043. .. Applicants

(By Advocate: Mrs. Raj Kumari Chopra)

Versus

1. Union of India through  
the Secretary,  
Ministry of Water Resources,  
Shram Shati Bhawan,  
New Delhi-110001.
2. Secretary,  
Dept. of Personnel & Training,  
New Delhi. .. Respondents

(By Advocate: Shri S.M. Arif)

ORDER

S.R. ADIGE, VC (A)

Applicants had filed this O.A. on 3.5.99  
seeking a direction to respondents.

- i) not to revert them from the posts of Stenographer Grade 'C' (ad hoc) till their regularisation as ordered by the Tribunal in O.A. No. 1096/94 read with M.A. No. 3372/94.
- ii) to take immediate steps to regularise them against available vacancies of Stenographer Grade 'C' and continue them till their formal regularisation and to issue the pending select list pertaining to the year 1997-98 and onwards.

2. The O.A. came up for preliminary hearing on 5.5.99. On that date notices were ordered to be issued to respondents to file reply and meanwhile by way of an interim direction pressed for by applicants, respondents were directed to maintain the status quo as of that date. That interim order was thereafter extended from time to time.

3. Respondents filed their reply on 14.9.99, but despite several opportunities given to applicants to file rejoinder they did not do so, and adjournments were sought for on their behalf.

4. When the case came up on 16.1.2001, applicants' counsel stated that applicants did not intend to file any rejoinder, and the O.A. should be placed on Board and taken up for hearing in its turn.

5. We note that this is a 1999 case and O.As filed after 3.5.99 are being taken up for regular hearing in turn after being placed on Board.

6. Accordingly we are proceeding to dispose of this O.A.

7. In so far as relief (i) is concerned, we notice that even before this O.A. was filed, applicants stood reverted to their substantive posts of Stenographers Grade 'D' between 18.1.99 and 1.3.99. Copies of the reversion orders have been filed by respondents with their reply and this position has not been refuted by applicants in any rejoinder. Under the circumstances, relief (i) cannot be granted and the interim direction dated 5.5.99 itself remains inoperative.

8. As regards relief (ii) what applicants are actually seeking is promotion on regular basis as Stenographer Grade 'C'. In this connection, as per CSSS Rules, 50% of vacancies in the grade of Stenographer 'C' are filled by direct recruitment; 25% by promotion through Limited Departmental Competitive Examination and 25% by promotion on the basis of seniority-cum-fitness.

9. It is open to applicants to appear in the L.D.C.E. if they are eligible and qualified to appear in the same. Alternatively, if applicants come within the zone of consideration for promotion against available vacancies of Stenographer Grade 'C' under 25% promotion through seniority-cum-fitness quota, and find that they have not been considered, or after consideration have not been promoted, although their juniors in the seniority list have been promoted, it will be open to them, to approach

the Tribunal in accordance with law, if so advised, after exhausting such departmental remedies as are available to them.

10. The O.A. is disposed of in terms of what has been stated in Para 9 above. No costs.

A. Vedavalli  
(Dr. A. Vedavalli)  
Member (J)

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

'gk'