

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

O.A.NO.1889/99

New Delhi, this the 10th day of February, 2000.

HON'BLE MR. JUSTICE ASHOK AGARWAL, CHAIRMAN
HON'BLE MR. SHANTA SHASTRY, MEMBER (A)

1. Sh. Sushil Kumar Chokhani, R/O 113, Shanti Doot Apartment, 18, Vasundhara Enclave, New Delhi.
2. Sh. Kapil Setia, R/O B-48, Paschim Vihar, Delhi.
3. Sh. Anil Rastogi, R/O 245, Gagan Vihar, Delhi.

...Applicants

(By Advocate: Sh. Rama Krishna)

VERSUS

1. The Union of India - through The Secretary, Ministry of Urban Development, Nirman Bhawan, New Delhi - 110 011.
2. The Director General (Works), Central Public Works Department, Nirman Bhawan, New Delhi - 110 011.
3. The Secretary, Union Public Service Commission, Dholpur House, Shahjahan Road, New Delhi-110 011.
4. The Secretary, Ministry of Public Grievances, Personnel & Pensions (Department of Personnel & Training), North Block, New Delhi - 110 001.

....Respondents.

(By Advocate: Sh. M.K.Bhardwaj, proxy counsel
for Sh. A.K.Bhardwaj)

...O R D E R (ORAL)

Mr. Justice Ashok Agarwal, Chairman:-

There are two feeder posts for promotion to the post of Architects i.e. one Asstt. Architect and the other is Dy. Architect. For the category of Asstt. Architects experience of eight years is provided as an eligibility criteria and as far as the Dy. Architects are concerned, the period is of four years. The ratio which is required to be maintained under the rules for

(2)

each of the aforesaid categories is 1:1. For the earlier years when Asstt. Architects were not available for promotion as none qualified the aforesaid period of experience, the seats meant for Asstt. Architects were got diverted to the Dy. Architects and promotions were accordingly made.

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2. Now that some Asstt. Architects have become eligible in terms of period of experience the respondents have proposed to consider them for promotion against their quota ^{to 2 Ths} granted earlier. ~~earlier~~ ~~period~~

3. In our view, no exception can be ~~had~~ to this being done as what is sought to be achieved is the ratio of 1:1 which is provided under the rules.

4. The present application, in the circumstances, does not have any merit and is accordingly rejected. Merely because there is no specific rule of carrying forward of vacancies, the same will not assist the argument sought to be advanced on behalf of the applicants as the same is implicit in the rule which provided for maintaining the ratio 1:1.


(Ashok Agarwal)
Chairman


(Shanta Shatry)
Member (A)

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