

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

Original Application No.1365/98

New Delhi, this the 26th day of February, 1999

Hon'ble Mr. Justice V. Rajagopala Reddy, Vice-Chairman (J)  
Hon'ble Mr. K. Muthukumar, Member (A)

B.L. Nandwani,  
S/o late Shri Rijbu Ram,  
employed as Sanitary Supdt.  
G.B. Pant Hospital,  
New Delhi.

...Applicant

(Applicant in person)

-Versus-

1. Govt. of N.C.T. of Delhi,  
through the Principal  
Secretary, Ministry of  
Health & Family Welfare,  
5, Sham Nath Marg,  
Delhi.

2. The Principal Secretary (Finance),  
5, Sham Nath Marg,  
New Delhi.

3. The Principal Hospital Coordinator-  
cum-Joint Secretary (M-II),  
I.R.C. 1, Jawahar Lal Nehru Road,  
Delhi.

4. The Medical Supdt.  
G.B. Pant Hospital,  
New Delhi.

5. The Medical Supdt.  
Lok Nayak Hospital,  
New Delhi.

...Respondents

(By Advocate Shri Vijay Pandita)

O R D E R (ORAL)

By Mr. Justice V. Rajagopala Reddy, Vice-Chairman (J):

Heard the applicant and the learned counsel for  
the respondents.


The applicant has been working as a Sanitary  
Superintendent for the last 32 years. Recently it is  
stated that one Mr. V.S. Tyagi the seniormost Sanitary  
Superintendent has been promoted to the post Sanitary


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Officer which is the next promotional post to the post of Sanitary Superintendent. The only grievance of the applicant seems to be that after retirement of Mr. Tyagi, the applicant being the next seniormost person, should be considered for promotion to the said post of Sanitary Officer. It is stated Mr. Tyagi is retiring in 2001. As there are no recruitment rules for the post of Sanitary officer it is stated in the reply that the department is considering framing of the recruitment rules for filling up the post of Sanitary Officer. However, the applicant will have to be considered being the ~~next~~ seniormost person for promotion to the post of Sanitary Officer. It is true as contended by the learned counsel for the respondents after the recruitment rules are framed ~~it~~ <sup>known</sup> is not ~~sure~~ whether the post ~~should~~ be made as a selection post or to be filled up on the basis of the seniority. <sup>in this view and</sup> ~~however~~ in view of the facts and circumstances of this case we dispose of this OA with a direction to the respondents to consider the case of the applicant for promotion to the post of Sanitary Officer after the retirement of Mr. Tyagi subject to the framing of the recruitment rules.

The O.A. is accordingly disposed of. No costs.

  
(K. Muthukumar)  
Member(A)

  
(V. Rajagopala Reddy )  
Vice-Chairman (J)

cc.