

Central Administrative Tribunal, Principal Bench.

Original Application No. 2345 of 1998

New Delhi, this the 10th day of August, 2000

Hon'ble Mr. Kuldip Singh, Member (J)
Hon'ble Mrs. Shanta Shastri, Member (A)

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Matin Ahmed S/o Shri Rafiq Ahmed
R/o 1734-Rodghgiran, Lal Quan,
Delhi-6.

- Applicant

(By Advocate - None)

Versus

1. Lt. Governor through
the Chief Secretary,
Government of NCT, 5 Sham Nath Marg,
Delhi.

2. Director of Education,
Government of NCT, Old Secretariat,
Delhi. - Respondents

(By Advocate - Shri George Paracken)

O R D E R (ORAL)

By Hon'ble Mr. Kuldip Singh, Member (J)

The applicant in this OA is aggrieved by the inaction, on the part of respondents in not implementing their order dated 19.2.2000 by which respondents have sanctioned 2 selection grade posts in the Grade of Mechanic in the pay scale of Rs.330-450 from 1.8.76.

The applicant has stated that he was appointed as Mechanic in the pay scale of Rs.75-1-85-EB-2-95 by respondents' order dated 16.12.66 and has been working in the department since then. He has stated that two posts of Mechanic in the selection grade had been sanctioned by respondent no.2 and the applicant being seniormost after Shri Bihari Lal, should have been granted the selection grade. The applicant has made an allegation that one Shri Satya Narain Sharma, Glass Blower, who had some contacts in the department, had managed to get selection grade despite

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the fact that he was not qualified and was also not having the trade certificate. Applicant also claims to have made certain representations to respondents, which were not replied.

3. None appeared for ^{the} applicant when the case was called out even though the case was listed as regular matter. ^{9.8.2016} Shri George Parackan appeared for respondents and has been heard.

4. Respondents in their reply have stated that Shri Satya Narain Sharma, who is alleged to have been granted selection grade in violation of rules, belongs to a different category which is separate than that of Meachanics. The other two persons, namely, S/Shri Vasudev and B.L. Bharti, who were granted selection grade, were senior to applicant. Respondents have further submitted that applicant has himself admitted that he is junior to S/Shri Vasudev and Bharti and as such he cannot claim grant of selection grade over them. So far as the plea of granting selection grade to Shri Satya Narain Sharma is concerned, it is submitted that he has been granted the selection grade on the basis of the directions given by the Tribunal in OA No.702/94 and moreover Shri Sharma belongs to a different category that is of Glass Blower whereas applicant is not a Glass Blower.

5. After going through the pleadings on record, we find that the applicant has stated that he is seniormost after S/Shri Vasudeva and B.L. Bharti in the category of

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 ...Mechanics and was entitled to the selection grade. This means that he does not challenge the seniority of S/Shri Vasudev and B.L. Bharti. As per department since there are only two posts of selection grade for Mechanics, S/Shri Vasudev and B.L. Bharti, have been rightly granted the selection grade by virtue of their position in the seniority list. As regards the grant of selection grade to Sh. Satya Narain Sharma is concerned, applicant cannot compare himself with Sh. S.N. Sharma since he belongs to different category of Glass Blower.

6. In view of the above, we find that this OA has no merits and the same is, therefore, dismissed. No costs.

Shanta S
 (Mrs. Shanta Shastri)
 Member (A)

Kuldip Singh
 (Kuldip Singh)
 Member (J)

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