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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No.553/1998

New Delhi, this 30th day of January, 2001

Hon'ble Shri Kuldip Singh, Member(J)  
Hon'ble Shri M.P. Singh, Member(A)

1. Upender Paswan  
B-5/1, DDU Hospital Complex  
Hari Nagar, Delhi
2. Smt. Birmati  
B-7/3, DDU Hospital Complex  
Hari Nagar, Delhi
3. Madan Lal Chawla  
RZ-81A, Khusi Ram Park  
Om Vihar, Uttam Nagar, Delhi
4. Mahender Singh  
Vill. & PO Ujwa  
Delhi
5. Smt. Jolegan Toppo  
A-4/DDU Hospital Complex  
Hari Nagar, Delhi
6. Tarif Singh  
Village Palam, Delhi

-- Applicants

(By Shri U.Srivastava, Advocate)

versus

Government of NCT of Delhi, through

1. Secretary Medical  
5, Sham Nath Marg, Delhi-54
2. Jt. Secretary-cum-PHC  
1, J.L.Nehru Marg, Delhi
3. Medical Superintendent  
DDU Hospital, Hari Nagar, Delhi
4. Mohd. Jamail, OT Assistant  
LNJP Hospital, New Delhi
5. Charan Singh ) All working as
6. Hari Singh ) OT Assistants
7. Ram Saroop ) in GTB Hospital
8. Ghanshyam ) Delhi
9. Mohd. Isral )

-- Respondents

(By Mrs.Neelam Singh, Advocate)

By Shri Kuldip Singh ORDER(oral)

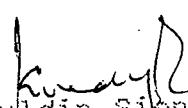
Six applicants have filed this OA as they are aggrieved in the matter of promotion to the post of OT/C SSD/CTS (Group II) Assistants in the pay scale of Rs.900-1500 and they have been discriminated in violation of Articles 14 and 16 of the Constitution of

JCS

India. They have prayed for issue of appropriate directions to the respondents to consider their promotion to the aforesaid post from the date their juniors were promoted and accord them all consequential benefits.

2. The OA has been contested by the respondents contending that the applicants are not eligible for promotion to the aforesaid post as per the amended recruitment rules and only employees from the feeder cadre of Assistant are eligible for promotion. However during the course of the arguments, the learned counsel for the applicants submits that applicants No.3, 4 and 6 have already been given promotion and therefore they have no grievance to be redressed. In so far as applicant No.1 is concerned, the counsel has no instructions from him. Also applicants No.2 and 5 are being considered for promotion as per information available to him. Therefore nothing survives in the present OA. However, learned counsel for the applicants submits that in case applicants No.2 and 5 are not promoted they may be given liberty to approach this Tribunal again. Granting that liberty, the present OA is disposed of as infructuous. No costs.

  
(M.P. Singh)  
Member(A)

  
(Kuldeep Singh)  
Member(J)

/gtv/