

(24)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

C.P. NO. 118/1996

in
O.A. NO. 478/1995

New Delhi this the 13th day of September, 1996.

HON'BLE SHRI JUSTICE CHETTUR SANKARAN NAIR, CHAIRMAN
HON'BLE SHRI R. K. AHOOJA, MEMBER (A)

Mahipal Singh S/O Ram Chand,
R/O 109-B, Gali No.2,
'J' Extension, Laxmi Nagar,
Delhi and employed as
Peon in the Ministry of
Civil Supplies, Consumer
Affairs and Public Distribution,
Government of India,
Shastri Bhawan,
New Delhi.

... Petitioner

(By Shri B. B. Raval, Advocate)

-Versus-

1. Shri A. K. Venkatasubramanian,
Secretary to Govt. of India,
Ministry of Civil Supplies,
Consumer Affairs and Public
Distribution, Govt. of India,
Krishi Bhawan,
New Delhi-110001.

2. Shri R. K. Singh,
Under Secretary to Govt.
of India (Administration),
Ministry of Civil Supplies,
Consumer Affairs and Public
Distribution, Govt. of India,
Krishi Bhawan,
New Delhi - 110001.

... Respondents

(By Shri P. H. Ramchandani, Sr. Counsel)

The petition having been heard on 13.9.1996
the Tribunal on the same day delivered the
following :

O R D E R

CHETTUR SANKARAN NAIR(J), CHAIRMAN —

Petitioner approaches this Tribunal complaining
that the directions in O.A. 478/1995 have not been
complied with. The directions were :

...2.


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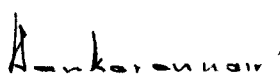
- 2 -

"...his representation for promotion against physically handicapped quota was under consideration. That consideration should be expedited, if already not completed and a final decision should be taken in the matter as early as possible...."

2. It is admitted that since the filing of the contempt petition the directions have been complied with by passing Annexure R-4 order dated 5.8.1996, appointing petitioner as Lower Division Clerk on regular basis in the scale of Rs.950-1500 with effect from 26.7.1996 against 3% reservation for physically handicapped persons. According to learned counsel for petitioner, even this benefit is illusory in the light of paragraph 2 of Annexure R-4. We do not think so. The appointment granted under R-4 is substantive and regular. Paragraph 2 only refers to certain procedural modalities. Even so, petitioner would submit that the promotion should date back to an earlier date reckoning his service from 23.10.1983. This is a matter which must be adjudicated outside the contempt petition. Petitioner may make a representation in this behalf before respondents and we are confident that the representation will receive full and fair consideration at the hands of the Government. We are assured of this by learned counsel for respondents. We record the submission and dispose of the petition.

Dated, 13th September, 1996.


(R. K. Ahooja)
Member (A)


(Chettur Sankaran Nair, J.)
Chairman

/as/