

(3)

CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH
New Delhi, this 8th May, 1995
O.A.NO.765/95

Dr. Prem Prakash
s/o Late Shri Ram Narain
r/o D-27, Karkardooma
Delhi Administration Flats
New Delhi - 92.

... Applicant

(By Mrs. Meera Chibber, Advocate)

Versus

Union of India: through

Lt. Governor
Raj Niwas Marg
Delhi

Commissioner Cum Secretary
Department of Education
Govt. of NCT of Delhi
Old Secretariat
Delhi.

Director of Education
Directorate of Education
Old Secretariate
Delhi.

... Respondents

(By Shri Jog Singh, Advocate)

O R D E R

Hon'ble Shri A.V.Haridasan, Vice-Chairman(J)

Dr. Prem Prakash, Education Officer in the Directorate of Education, National Capital Territory of Delhi has filed his application aggrieved by the fact that the respondents are filling the vacancy of Deputy Director of Education by giving extension to a person who has already retired on superannuation while those who are eligible for promotion to that post in accordance with the recruitment rules, are available in service. He therefore, prays that the respondents may be directed to make promotions to the post of Deputy Director of Education either on regular basis or Ad-hoc basis by considering the eligible officers in service, declaring that the action of the respondents in extending the period of service of superannuated person is illegal and unjustified.

(2)

2. When the case came up for hearing today, Shri Jog Singh, learned counsel for the respondents under instructions from Shri R.S.Rana, Assistant, Departmental Representative states that the respondents have already taken steps to fill the post of Deputy Director on regular basis and that the process would be completed within four months as Union Public Service Commission is also involved in this matter. He ~~is~~ further states that the Department will be considering the officers ^{also} who are in service for adhoc promotion. Under these circumstances, we dispose of this OA at the admission stage with the following directions:

(A) The respondents shall as stated by their counsel at the bar complete the process of selection and make promotions to the post of Deputy Director in accordance with the rules and make appointment within four months from the date of receipt of this order.

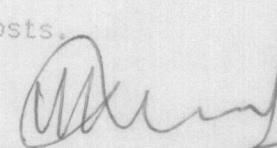
(B) If making ad hoc promotion ~~pending~~ finalisation of regular promotion is found necessary, the same may be done only after considering those who are eligible and qualified within the department.

(C) There shall be no order as to costs.

P. J. 262

(P.T. THIRUVENGADAM)
MEMBER(A)

/RAO/


(A.V. HARIDASAN)
VICE-CHAIRMAN(J)