

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI

OA NO. 1020/97

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New Delhi, this the 31st day of August, 2000

HON'BLE MR. JUSTICE V. RAJAGOPALA REDDY, VICE CHAIRMAN (J)  
HON'BLE MR. GOVINDAN S. TAMPI, MEMBER (A)

In the matter of:

Sudhir Kumar (son of Sh. Ram Murti),  
resident of G-69, Nanakpura,  
New Delhi-110021;  
employed as Assistant, in the office of  
Armed Forces Headquarters,  
Ministry of Defence. .... Applicant  
(Applicant in person)

VS.

1. Union of India through  
Defence Secretary, Ministry of Defence,  
South Block,  
New Delhi-110011.
2. Joint Secretary (Trg.) &  
Chief Administrative Officer,  
Ministry of Defence, C-II Hutments,  
Dalhousie Road,  
New Delhi-110011.
3. Chief Vigilance Officer,  
Ministry of Defence,  
South Block,  
New Delhi-110011.  
(By Advocate: Sh. S.M.Arif)

ORDER (ORAL)

By Mr. Justice V. Rajagopala Reddy,

Heard the applicant and counsel for the respondents.

2. The grievance of the applicant in this case is as regards his non-selection to the post of Assistant Civilian Staff Officer (Group 'B' - Gazetted) of AFHQ civil service for the year 1997. It is not in dispute that the applicant has been considered by the DPC held in 1997 for the above selection. He is aggrieved on two grounds and they are:-

(i) The DPC has not placed the information as regards his experience as Presenting Officer in disciplinary cases which resulted in his non-selection; and

(ii) that the clubbing of vacancies for consideration by the DPC, is illegal.

3. We do not find any substance in either of the contentions. In the counter affidavit it is stated that the applicant's experience was noted. It is, however, stated that the applicant had worked as Presenting Officer during his deputation because others were not available. In the circumstances it cannot be said that the DPC was not made aware of his experience as Presenting Officer in the disciplinary enquiry.

4. It is also clearly stated in the counter affidavit that during 1997, 149 vacancies of ACSO are required to be filled by promotion including the existing vacancies as on 1.1.97 and the anticipated vacancies during the course of the panel year i.e. till 31.12.97, which may arise on account of retirement etc. It cannot, therefore, be said that there is any clubbing of the vacancies of earlier years other than that the current year in the DPC.

5. It is also contended that the seniority list was not circulated by the DPC to the applicant. This would hardly matter as it is stated in the counter that the seniority list was placed before the DPC and the applicant has been considered for promotion alongwith others.



6. We have also disposed of another OA-1673/97 in Randhir Singh & another vs. Union of India & others, which refers to the DPC held in 1997 for the same post.

7. In the circumstances, the OA fails and is accordingly dismissed with cost of Rs.1000/- to be paid to the Secretary, Bar Library.

( GOVINDAN S. TAMPI )  
Member (A)

'sd'

( V. RAJAGOPALA REDDY )  
Vice Chairman (J)