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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

O.A.NO.1289/94

New Delhi, this the 7th November, 1994

Hon'ble Shri J.P. Sharma, Member (J)

Hon'ble Shri B.K. Singh, Member (A)

1. Shri Nandlal Singh,
s/o Shri Gyanchand,
R/o B-162/6, Gali No.8,
Bhajanpura,
Delhi.
2. Dharam Pal
s/o Shri Chimeli,
R/o F 17/94, Sector-8,
Rohini,
Delhi.
3. Shri Babu Lal,
S/o Shri Kishori Lal,
R/o RZ-42, Shankar Park,
Sagarpur,
New Delhi.
4. Shri Sita Ram,
s/o late Shri Khazan Singh,
R/o D-12/145, Sector-8,
Rohini,
Delhi.
5. Shri Bishan Chand,
s/o late Shri Hira Lal,
R/o B-254, DA Flats,
Timarpur, Delhi.

.... Applicants

By Advocate: Shri A.K. Behera

Vs.

1. Lt. Governor,
Govt. of National Capital
Territory of Delhi,
Raj Niwas, Delhi.
2. Chief Secretary,
Government of National Capital,
Territory of Delhi,
5, Sham Nath Marg, Delhi.

... Respondents

By Advocate: Shri O.N. Trishal

O R D E R (ORAL)

Hon'ble Shri J.P. Sharma,

The Original Application has been jointly
filed by the applicants. Their grievance is against
the order dated 10.6.94 (Annexure A-1) which is

granting of adhoc promotion in DANICS from the post of Grade I Stenographer in the pay scale of Rs.2000-3500 plus allowances as admissible under the rules. The names of the applicants are missing from this list. The contention of the applicants is that while giving adhoc promotion from Grade I of DASS the S.C. category has been totally ignored not only this time but the practice is prevalent since last several years. The applicants had made several representations and inspite of the vacancies being available the adhoc appointments have not been made in favour of the applicants. The applicants have prayed for the grant of the reliefs that the promotion orders issued on 10.6.94 at Annexure A-1 be quashed with direction to give due representation to SC/ST candidates in the adhoc promotion in the scale of Rs.2000-3500 with all consequential benefits.

2. The respondents contested this application by filing a reply wherein they denied the averments made in the O.A. and gave details of effecting promotion by the impugned order dated 10.6.94. Besides referring to the earlier matters of selection of SC/ST candidates, the respondents have given details as to how many SC/ST candidates have been given appointment and that the reservation point has not been ignored.

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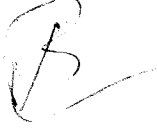
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3. The applicants have also filed rejoinder highlighting the facts stated in the O.A. We heard the learned counsel Shri A.K. Behera and Shri O.N. Trishal on two earlier sittings of this Bench and called for the necessary records from the department. The main contention of the counsel for the applicant is that the respondents are giving adhoc promotion only in a limited number of vacancies though the vacancies existing are far more. We have checked this point from the departmental file and the vacancies calculated upto 31.3.1994 were only 25. Due representation has been given at the communal roster point to the SC candidates.

4. During the course of the hearing, the learned counsel for the respondents Shri O.N. Trishal has given a categorically statement at the Bar that the eligibility list which has been drawn in August, 1994 contains the names of the applicants also for consideration and he further stated that all the 5 applicants are included in this list and that it is almost a panel from which selection is to be made and these 5 applicants shall be included in the final panel for promotion on adhoc basis to DANICS or ex-cadre post in the grade Rs.2000-3500.

5. In view of the above submissions the learned counsel for the respondents Shri O.N. Trishal assisted by the Departmental Representative Shri V.K. Mehra, Assistant, the learned counsel Shri A.K. Behera is not pressing this application.

It is expected that the respondents shall carry out ⁱⁿ the letter ^{and spirit} ~~under which~~ the assurance and commitment made on their behalf on the instructions of the Departmental Representative and the learned counsel Shri O.N. Trishal. The application is disposed of accordingly with no orders as to cost. However, liberty is reserved for the applicants in case the respondents do not carry out the assurance made before the Bench. Cost on parties.


(B.K. SINGH)
MEMBER(A)


(J.P. SHARMA)
MEMBER(J)

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