

Central Administrative Tribunal
Principal Bench

O.A. 1085/2000

New Delhi, this the day of 2nd November, 2001.

Hon'ble Shri S.R.Adige, Vice-Chairman(A)
Hon'ble Dr.A Vedavalli, Member(J)

(12)

Mukesh Kumar
S/o Shri Mukhtiar Singh,
R/o Village & P.O.Bhaproda,
District Jhajjar, Haryana-124503
(By advocate: Shri Sama Singh) ...Applicant

Versus

1. Government of National Capital Territory of Delhi,
Through its Chief Secretary, 5-Sham Nath Marg,
Delhi-110054.
2. The Chairman,
Delhi Subordinate Service Selection Board,
TCS Building, Behand Karkardooma Courts,
Institutional Area, Viswas Nagar,
Shahdara, Delhi-110032.
3. The Director of Education,
Directorate of Education,
Govt. of National Capital Territory of Delhi,
Old Secretariat, Delhi.
(By advocate:Shri Vijay Pandita) ...Respondents.

ORDER(Oral)

By Shri S.R.Adige, Vice-Chairman(A)

In this OA, applicant has sought a direction to the Chairman, Delhi Subordinate Service Selection Board (Respondent No.2) to specifically send and confirm his name for appointment as TGT (Social Science) to the Directorate of Education (Respondent No.3); and to issue him appointment letter for the post of TGT (Social Science).

2. We have heard applicant's counsel Shri Sama Singh and counsel for Respondent Nos. 1 & 2, Shri Vijay Pandita.
3. It is not denied that applicant's name is at Sl. No. 21 in the list of 64 selected candidates whose names were recommended by the DSSB (Respondent No.2) for appointment of TGT (Social Science) and this slot belongs

to general category. From Respondents' reply it is further clear that at the time declaration of results a visually handicapped candidate was appointed from the general category against that slot, as a result of which applicant could not be appointed. (B)

4. However, Shri Sama Singh informs us that applicant has since been appointed as TGT (Social Science) w.e.f.1.12.2000. His grievance now is that he should be granted notional promotion from the date his immediate junior in the select list was appointed.

5. None has appeared on behalf of Respondent No.3 (Director of Education) to contest this claim.

6. Under the circumstances, we dispose of this OA with a direction to Respondent No.3 to consider this claim of applicant for granting him notional promotion as TGT (Social Science) with effect from the date his junior was appointed by passing a detailed, speaking and reasoned order in accordance with rules and instructions within three months from the date of receipt of a copy of this order.

7. If any grievance still survives thereafter it will be open to applicant to challenge the same through appropriate original proceedings in accordance with law, if so advised.

8. OA disposed of accordingly. No costs.

A. Vedavalli

(Dr. A. Vedavalli)
Member (J)
/kd/

Adige
(S.R. Adige)
Vice Chairman (A)