

Central Administrative Tribunal
Principal Bench

O.A. No. 1599 of 2000

New Delhi, dated this the 28th August, 2000

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)
HON'BLE DR. A. VEDAVALLI, MEMBER (J)

Shri Gulab Singh Mehra,
Prosecutor,
Prosecution Branch,
Tis Hazari Courts,
Delhi. .. Applicant

(By Advocate: Dr. S.P. Sharma)

Versus

1. Union of India through
the Secretary,
Ministry of Home Affairs,
New Delhi.
2. Govt. of NCT of Delhi through
the Chief Secretary,
5, Sham Nath Marg,
Delhi. .. Respondents

ORDER (Oral)

MR. S.R. ADIGE, VC (A)

We have heard applicant's counsel Dr. Sharma who states that despite the directions contained in the order dated 14.3.97 in O.A. No. 382/95 that

- (i) the past service of the promotee Chief Prosecutors shall be counted from the date when the DPC considered their regularisation on a pre-dated yearwise assessment basis; that is to say, as in case of Maha Singh, who was considered for regularisation from the assessment year 1993-94 he will be eligible to count his service as regular from the date on which the vacancy arose during the assessment year 1993-94 onwards, for the purpose of promotion to the next higher grade. This benefit shall not be confined to Shri Maha Singh alone, but shall be conferred to all the persons similarly placed, in the same manner.
- (ii) The respondent shall give this benefit to their service prior to 31.5.95, as Chief Prosecutors rendered by them, only if he/she was holding the post on an ad hoc

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basis on the relevant date, i.e. the date of occurrence of a vacancy, against which he/she was considered for regularisation. .

(iii) These directions shall be complied with, before the process of promotion to the next post is initiated.

respondents have not so far finalised the seniority list of Chief Prosecutors. In this connection in Para 4.2 of the O.A. it is stated that the seniority list of Chief Prosecutors has not been issued since 1992.

2. If these assertions are correct, this O.A. is disposed of at the preliminary stage itself with a direction to respondents to finalise and issue the aforesaid seniority list in accordance with rules and instructions as expeditiously as possible and preferably within three months from the date of receipt of a copy of this order.

3. If there are any legal or other impediments in the finalisation and issue of the aforesaid seniority list, applicants should be informed of the same within the aforesaid period.

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

5. The O.A. stands disposed of accordingly.

No costs.

A. Vedavalli

(Dr. A. Vedavalli)
Member (J)
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(S.R. Adige)
Vice Chairman (A)