

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

OA 965/2000

New Delhi this the 8th day of February, 2001

Hon'ble Smt.Lakshmi Swaminathan, Vice Chairman(J)  
Hon'ble Shri Govindan S.Tampi, Member(A)

Shri Vishwanath Sharma,  
S/o Sh.Ramji Lal Sharma,  
R/O Type-III/13, Schedule-B,  
President Estate, New Delhi-110004  
...Applicant  
(By Advocate Sh.S.S.Tiwari )

VERSUS

1. The Union of India,  
through Secretary to the  
President, Rashtrapati Bhawan,  
New Delhi.

2. The Under Secretary(Admn),  
President Secretariat,  
Administration Section,  
Rashtrapati Bhawan, New Delhi.

3. Shri Satbir Singh  
working as Personal Assistant,  
President Secretariat,  
Rashtrapati Bhawan, N/Delhi.

... Respondents

(By Advocate Sh.V.S.R.Krishna )

ORDER (ORAL)

Hon'ble Smt.Lakshmi Swaminathan, Vice Chairman(J).

The applicant is aggrieved that although he is working as Stenographer Grade 'D' with the respondents since 6.7.1994, they have denied him promotion to the post of Personal Assistant(PA) from the due date.

2. The brief relevant facts of the case are that the applicant states that he has already put in 5 years regular service as Stenographer Grade 'D'(Hindi) in July, 1999. From the reply filed by the respondents it is seen that they have stated that there are six

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sanctioned posts of Personal Assistant and one post of Steno Grade-D in the President's Secretariat. They have further stated that out of six sanctioned posts, one post is exclusively filled by promotion of Steno Grade'D'(Hindi).

3. Shri S.S.Tiwari, learned counsel for the applicant has submitted that under the Recruitment Rules for promotion to the post of PA, the sixth post referred to above is exclusively to be filled by promotion from Steno Grade'D'(Hindi). The applicant is <sup>the</sup> ~~an~~ only an incumbent who fulfills the necessary qualification. He further submits that this is a non-selection post. He has, therefore, prayed that a direction may be given to the respondents to promote the applicant to the post of PA from the due date.

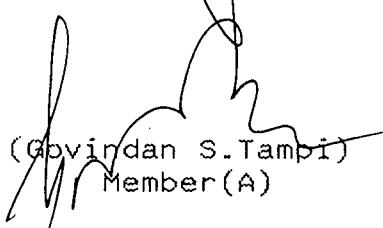
4. We have perused the pleadings on record and considered the submissions made by the learned counsel for the parites.

5. We note that the respondents have themselves stated that out of the six vacancies, one post is exclusively <sup>to be</sup> ~~an~~ filled by promotion from Steno Grade'D'(Hindi). The applicant has stated that he fulfills the eligibility conditions and his main grievance is that due consideration has not been given by the respondents to promote him in accordance with rules.

6. In the above facts and circumstances, the OA is disposed of with the following directions:-

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The respondents to consider the claim of the applicant for promotion to the post of PA in the aforesaid 6th post i.e. the post for which Steno. Grade 'D' (Hindi) <sup>is to</sup> <sub>be</sub> considered, in accordance with rules and instructions, subject to fulfilment of the conditions mentioned therein. This shall be done within three months from the date of receipt of a copy of this order. No order as to costs.

  
(Govindan S. Tampli)  
Member (A)

  
(Smt. Lakshmi Swaminathan)  
Vice Chairman (J)