

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

C.P.No.145/2001 in O.A.No.116/2000

Hon'ble Shri M.P.Singh, Member(Admn.)
Hon'ble Shri Shanker Raju, Member (Judicial)

New Delhi, this the 29th day of August, 2001

1. Shri Bharat Lal
Senior Technician
s/o Shri Mangal Sain
r/o F-4/480, Sultanpuri
New Delhi - 41.
 2. Shri Varinder Kumar Grover
Senior Technician
S/o Late Shri Dharam Chand
r/o A-1B/94C, Paschim Vihar
New Delhi - 63. ... Petitioners
(By Advocate: Shri Ramesh Kumar)
- Vs.
1. Union of India through
officiating Director General
Sh. K.M.Paul
Aakashwani
Aakashwani Bhawan
Parliament Street
New Delhi - 110 001.
 2. Shri K.M.Paul
Chief Engineer
Presently officiating as
Director General
All India Radio
Aakashwani Bhawan
Parliament Street
New Delhi - 1.
 3. Shri A.B.Mathur
Chief Engineer (North Zone)
Aakashwani and Doordarshan
Jam Nagar House
Shahjahan Road
New Delhi - 110 011.
 4. Shri Surjit Singh
Dy. Director (Engg.)
Office of the Chief Engineer (North ZZone)
Aakashwani and Doordarshan
Jam Nagar House
Shahjahan Road
New Delhi - 110 011. ... Respondents
(By Advocate: Shri R.P.Aggarwal)

O R D E R(Oral)

By Shri M.P.Singh, Member (A):

~~This Tribunal~~ Vide order dated 6.12.2000 in OA
No.116/2000 the following directions were given to the
respondents:

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8. However,
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- (i) that they shall exhaust the panel of 1994 LDCE latest by March, 2001 and
- (ii) that they shall declare the results of 1998 LDCE as early as possible after calculating the anticipated vacancies and taking into consideration the exhaustion of panel of 1994. In any case, the result of 1998 LDCE shall be declared by 1.2.2001 because by that time, the respondents would be in a position to know as to upto what time the remaining three candidates of 1994 panel would be adjusted and how many anticipated vacancies will occur in the following years and would be able to fill up the vacancies as per Recruitment Rules."

2. The learned counsel for the applicant has filed the CP No.145/2001 stating that the respondents have wilfully disobeyed the orders of the Tribunal dated 6.12.2001 passed in OA No.116/2000. Notice was issued to the respondents and the respondents have filed their reply stating that they have fully complied with the directions of this Tribunal dated 6.12.2000. They have also stated that the All India Radio (Group 'C' Posts) Recruitment Rules, 1979 as amended from time to time provides the method of recruitment ²rules, which ⁴²are reproduced as under:

"80 per cent by direct recruitment, 10 per cent by promotion on seniority cum fitness basis, 10 percent through Limited Departmental Competitive Examination."

3. According to the respondents, the Office Order No.7/2001 dated 17.1.2001 was issued in compliance of the Court's order in OA No.1240/97 and also in OA No.116/2000, first three candidates from Sl.No.1 to 3 have been promoted on the basis of LDCE 1994 and next seven from Sl.No.4 to 10 have been



promoted on the basis of LDCE held in 1998; 24 candidates on the basis of LDCE 1994 had already been promoted thus completing quota of 27 on the basis of Judgement in case of OA No.1240/97 and by promoting 7 candidates on the basis of 1998 LDCE.

4. After hearing both the learned counsel and perused the pleadings available on record, we are of the confirmed view that the directions given by the Tribunal in its Judgement dated 6.12.2000 in OA No.116/2000, have been substantially been complied with by the respondents and there is no wilful disobedience on the part of the respondents as far as the compliance of this Tribunal's directions are concerned. In view of this matter, the CP does not survive and is accordingly dismissed. Notices issued to the respondents are discharged. However, liberty is granted to the applicant to re-agitate the matter, if he still feels aggrieved, in accordance with law. No costs.

S. Raju

(SHANKER RAJU)
MEMBER(J)

M.P. Singh

(M.P. SINGH)
MEMBER(A)

/RAO/