

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.No. 1848/89

(12)

NEW DELHI THIS THE 25 DAY OF NOVEMBER, 1994.

HON'BLE SHRI S.R. ADIGE, MEMBER (A)
HON'BLE MRS LAKSHMI SWAMINATHAN, MEMBER (J)

1. K.P. Manglani
S/O Shri Paman Dass
aged 54 years,
Superintendent,
Government Girls Sr. Sec.
School, Laxmi Nagar,
Delhi,
R/O C-2 Minto Road,
New Delhi.

2. K.C. Rathee aged 49,
S/O Late Sh. B.S. Rathee,
Asstt. Director of Industries (H/H)
Directorate of Industries,
CPO Building, Kashmiri Gate,
Delhi,
R/O E-12, Ranjit Singh Road,
Adarsh Nagar,
Delhi.

3. R. K. Madan
aged 53 years,
S/O Shri A.N. Madan,
Food & Supplied Officer
Food & Supplies Department
Circle 15, Bawana, Delhi
R/O C-5A/271, Janakpuri,
New Delhi-110058.

4. B.R. Rawal
aged 47 years,
S/O Late Shri K.L. Rawal,
A.S.T.O. (Legal)
Sales Tax Deptt.,
Legal Branch,
I.P. Estate,
Vikas Bhawan, New Delhi
R/O C-2D/24-B, Janakpuri,
New Delhi-110 058.

contd.

(B)

-2-

5. C.L. Sethi
 aged 49 years,
 S/O Shri R.D. Sethi,
 Inspector (W&M),
 Office of the Controller
 of W&M, C.P.O. Building,
 Kashmiri Gate, Delhi,
 R/O 497/1A, Bholanath Nagar,
 Shahadara, Delhi-110 032.

6. Y.P. Vij,
 aged 53 years,
 S/O Shri S.D. Vij,
 F.S.O.,
 Commissioner of Food & Supply,
 Delhi Administration, Delhi
 R/O 61/5 Old Rajinder Nagar,
 New Delhi.

7. P. D. Sharma,
 aged 48 years,
 S/O Sh. J.D. Sharma,
 Superintendent,
 Government Girls Sr. Secondary School,
 Nand Nagari, Delhi,
 R/O 3099 Ram Nagar,
 Shahadara, Delhi-32.

8. R.S. Mukhiya
 aged 51 years,
 S/O Sh. P.D. Mukhiya,
 F.S.O., Commissioner
 Food & Supply & Consumer Affairs,
 Delhi Administration, Delhi.
 R/O A-18-C, DDA Flats,
 Munirika, New Delhi.

9. S.L. Gupta,
 aged 57 years,
 S/O Shri P.R. Gupta,
 Superintendent,
 Govt. Boys Sr. Secondary School,
 No.1, Sector III,
 R.K.Puram, New Delhi
 R/O 15, S.F.S.(R.B.I.),
 Poorvi Apartments,
 Poorvi Marg, Vasant Vihar,
 New Delhi-59.

..... Applicants.

(By Advocate Shri S.C. Gupta with Sh.L.R. Goyal)

contd.

VERSUS

1. The Lt Governor, through
Chief Secretary of Delhi
Delhi Administration Offices,
Old Secretariat Building,
Delhi.

2. The Chief Secretary,
Delhi Administration,
Old Secretariat Building,
Delhi. (14) ... Respondents.

(By Advocate : None)

JUDGEMENT

Hon'ble Shri S.R. Adige, Member (A)

In this application Shri K.P. Manglani & 9 Others have impugned the order dated 31.8.89, whereby the regularisation of the applicants under rule 6 of the Delhi Administration Subordinate Services Rules 1967 in Grade I (Executive) from the dates mentioned against their names was cancelled, and have prayed for a direction to the respondents to promote them to the Delhi, Andaman, Nicobar Island Services (DANICS), as though the regularisation of the applicants had not been cancelled and were still valid and operative.

2. During the course of hearing Shri S.C. Gupta, for the applicants stated that subsequent to filing of the O.A., the relief prayed for by the applicants had been granted to all of them except to Shri R.S. Makhija. Shri Gupta was unable to produce the relevant order by which these reliefs have been granted to all the applicants except Shri Makhija. In the absence of the respondent's counsel, who did not appear during hearing, the departmental representative Shri Vinod Kumar was also unable to explain the

(15)

the circumstances under which Shri Makhija had been excluded.

3. Under the circumstances we dispose of this application with a direction to the respondents to examine Shri R.S. Makhija's case in the background of the decision arrived at in respect of the other applicants, and thereafter pass a detailed and reasoned order thereon, under intimation to Shri Makhija, within 3 months from the date of receipt of copy of this judgement.

4. In the event that any grievance survives thereafter, it will be open to the applicant, after exhausting the departmental remedies available to him, to agitate the matter afresh before this Tribunal in accordance with law, if so advised. No costs.

Lakshmi

(LAKSHMI SWAMINATHAN)
MEMBER (J)

Adige
(S.R. ADIGE)
MEMBER (A)

sss