

(11)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI.

D.A.472/88

Date of decision: 5.10.93

B.S. Negi

... Petitioner.

Versus

Union of India through
the Secretary,
Ministry of Information and
Broadcasting,
New Delhi

.... Respondent.

CORAM:

THE HON'BLE MR. JUSTICE V.S. MALIMATH, CHAIRMAN.
THE HON'BLE MR. S.R. ADIGE, MEMBER(A).

For the petitioner - None.

For the Respondent. - Mrs Raj Kumari Chopra, Counsel.

JUDGEMENT (ORAL)

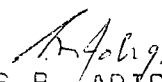
(By Hon'ble Mr. Justice V.S. Malimath,
Chairman)

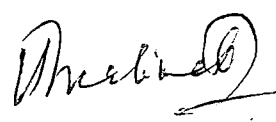
None appeared for the petitioner. Mrs Raj Kumari Chopra, Counsel, was present on behalf of the respondent. As this is a very old matter, we thought it proper to peruse the record and hear Mrs Raj Kumari Chopra, learned counsel for the respondent and dispose of the case on merits.

2. The petitioner has come with this application with two prayers. The first is to quash the order dated 15.3.1988 by which he has been given extension in the ad hoc appointment to the post of Financial Advisor and Chief Accounts Officer in the Directorate of Advertising and Visual Publicity for a further period of one month from 1.3.1988 or the availability of a regular candidate, whichever is earlier. The second prayer is for a direction to confirm him in the post of Financial Advisor and Chief Accounts Officer. It was brought to our notice

that the petitioner has been litigating his rights in the Delhi High Court in regard to his claim for seniority and promotion to the cadre of Accountants. The post in respect of which the petitioner claims relief, namely, that of Financial Advisor and Chief Accounts Officer, is a much higher post.

3. In the reply filed by the respondents, it is stated that the petitioner cannot secure any relief in this case as he has yet to secure relief in the cadre of Accountants. It is further stated that the claim of the petitioner for promotion to the post of Accountant is subjudice in the Delhi High Court where the matter is pending in L.P.A. No. 11 of 1984. Our attention was also drawn to the judgement rendered by the Tribunal in O.A. No.1009/87 in the case of S.S. Aggarwal who is similarly situate. In similar circumstances, the Tribunal rejected that application. As the appointment of the petitioner is only on ad hoc basis to the post of Financial Advisor and Chief Accounts Officer and as his claim of seniority and promotion to the cadre of Accountants is still pending in the High Court in LPA, we will not be in position to adjudicate upon the rights claimed by the petitioner to a much higher post. On this short ground, this application is dismissed. No costs.


(S.R. ADIGE)
MEMBER(A)


(V.S. MALIMATH)
CHAIRMAN