

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI.

17/11

MP No. 1024/88 &

Date of decision: 24.5.88

CA No. 935/88

Shri T.S.Venkataraman & another ..... Applicants

Vs.

Union of India & others ..... Respondents

Coram: Hon'ble Mr. Justice J.D. Jain, Vice Chairman  
Hon'ble Mr. Kaushal Kumar, Member.

For the Applicants ..... Shri N.K.Banerjee,  
Counsel.

( Judgement of the Bench delivered by Hon'ble  
Mr. Justice J.D. Jain, Vice Chairman)

The applicants are borne on the strength of  
of  
Directorate General/Civil Aviation as Directors. The said  
Directorate is under the Ministry of Civil Aviation,  
Government of India. As at present the applicants are  
on deputation as Directors with the National Airports  
Authority, New Delhi. Their grievance is that some  
posts of Deputy Director General Civil Aviation have  
fallen vacant but the same have not been filled up by  
the Respondents although sufficient time has elapsed.  
Their further apprehension is that the Directors who  
are still on the strength of the Directorate General  
of Civil Aviation and are not on deputation like the  
applicants are likely to be considered for promotion  
to the said post. It is, however, admitted that no  
such decision has been taken as yet. It is only in the  
realm of apprehension that they are saying so.

2. In our view unless some positive steps are  
taken by the Respondents to consider only the Directors  
who are on the strength of the Directorate General of  
Civil Aviation and not the applicants who are also  
borne on the strength of the Directorate General of  
Civil Aviation, this application is pre-mature as  
no cause of action has accrued to them so far. The

(52)

mere fact that the posts of Deputy Director General Civil Aviation have fallen vacant will not give a cause of action to the applicants and it will not be within the competence of this Tribunal <sup>to direct</sup> the Respondents to fill the posts irrespective of whether they are filling up the posts or not for administrative reasons.

3. In the circumstances, this application is rejected as pre-mature.

  
( KAUSHAL KUMAR )  
MEMBER

  
( J. D. JAIN )  
VICE CHAIRMAN

24.5.88