

**Central Administrative Tribunal
Principal Bench, New Delhi**

O.A. No. 2989/2016

M.A. No. 1038/2019

Today this the 23rd day of November, 2020

Through video conferencing



Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. A. K. Bishnoi, Member (A)

Manoj Kumar, aged 34 years
S/o Sh. Satbir Singh
Working as Fire Operator, Fire Station
Sector 5, Gohini, Delhi
R/o H. No. 171, Vill & PO Auchandi
Delhi-39.

...Applicant

(through Sh. Yogesh Sharma)

Versus

1. Govt. of NCT of Delhi through
The Chief Secretary
Delhi Secretariat, IP Estate, New Delhi.
2. The Director
Delhi Fire Service Connaught Place
New Delhi.

...Respondents

(through Ms. Esha Mazumdar)

Order (Oral)

Justice L. Narasimha Reddy:



The applicant is working as Fire Operator in the Delhi Fire Service (DFS). He intended to pursue a one year certificate course, which according to him, is essential for promotion to the next higher post. It is stated that he submitted an application in February, 2016 with a request to accord him permission to join the course and ultimately the No Objection Certificate (NOC) was issued on 04.03.2016. He filed this OA complaining that though the NOC was issued on 04.03.2016, he is not being relieved from the post, nor he is being granted the study leave.

2. The respondents filed counter affidavit raising several contentions.
3. We heard Sh. Yogesh Sharma, learned counsel for the applicant and Ms. Esha Mazumdar, learned counsel for the respondents.
4. The necessity for us to examine the matter in detail is obviated on account of the fact that the applicant has since completed the course. What remains to be examined is the eligibility to be granted the study leave. For this purpose, certain issues need to be examined.



5. We, therefore, dispose of the OA directing the respondents to pass orders on the representation made by the applicant for grant of study leave within six weeks from the date of receipt of a copy of this order. The applicant shall also make a copy of the representation made by him, available to the respondents. We make it clear that we did not pronounce on the relevance or otherwise of the course, studied by the applicant.

There shall be no order as to costs.

(A. K. Bishnoi)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

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