

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI**

**Original Application.No. 100/990 & 993 of 2020
This the 7th day of August, 2020**



**THE HON'BLE MR. JUSTICE L.NARASIMHA REDDY,
CHAIRMAN
THE HON'BLE MR.MOHD.JAMSHED, ADMINISTRATIVE
MEMBER**

OA No. 990 of 2020

Sh. Parshuram Singh,
S/o Sh. Banshidhar Singh, Aged about 51 years,
Designation- Presently working as Assistant
Director (Physics) (Group A) at Veera Centre an extension
Of FSL, at Sector 23, Rohini, New Delhi- 110099.
... Applicant
(By Advocate : Mr. Varun Mudgil)

Vs.

1. Union Public Service Commission
Through it's Chairman, Dholpur House,
Shahjahan Road, New Delhi- 110069.
2. GNCT of Delhi
Through it's Chief Secretary,
Delhi Secretariat, I.P. Estate,
New Delhi- 110002
3. Director, Forensic Science Laboratory,
Sector-14, Rohini, New Delhi- 110085.

... Respondents

(By Advocate : Mr. R. V. Sinha & Ms. Esha Mazumdar)

&

OA No. 993/2020

Sh. Amar Pal Singh
S/o Sh. Narender Singh, Aged about 50 years,
Designation- Presently working as Assistant Director
(Chemistry) (Group A), at Veera Centre, an Extension

of FSL, Delhi, Sector-23 Rohini, New Delhi- 110099

....Applicant

(By Advocate : Mr. Varun Mudgil)

Vs.



1. GNCT of Delhi
Through it's Chief Secretary
Delhi Secretariat, I.P. Estate
New Delhi- 110002
2. Union Public Service Commission
Through it's Chairman, Dholpur House,
Shahjahan Road, New Delhi- 110069.
3. Director, Forensic Science Laboratory,
Sector-14, Rohini, New Delhi- 110085.

.. Respondents

(By Advocate : Mr. R. V. Sinha & Ms. Esha Mazumdar)

ORAL ORDER

***{As per Hon'ble Mr. Justice L Narasimha Reddy,
Chairman}***

Common positions of facts and law arise in these OAs.
Hence they are disposed of through a common order.

2. The first applicant in the first OA is working as Assistant Director (Physics) and the one, in the second OA is working as Assistant Director (Chemistry) in Forensic Science Laboratory, in the Government of National Capital Territory of Delhi (GNCTD). The next promotion is to the post of Deputy Director of Forensic Science Laboratory.

3. The grievance of the applicants is that respondents are not convening the DPC, though the vacancies are existing and they are qualified. It is stated that correspondence is ensuing to the fact that on account of their being shown as accused in a criminal case, they need not be considered for promotion. In this background the applicants filed this OA with a prayer to direct the UPSC to convene DPC, for selection to the post of Deputy Director by considering the eligible Assistant Directors as on 01.09.2017, and to quash any of the documents which tend to disqualify the applicants.



4. Heard Sh. Varun Mudgil, learned counsel for applicants and Sh. R.V.Sinha, learned counsel for the UPSC and Ms. Esha Mazumdar, learned counsel for respondents.

5. The applicants no doubt, are working as Assistant Directors in Forensic Science Laboratory and they have also acquired eligibility to be promoted to the post of Deputy Directors. However, that itself is not sufficient for the purpose of promotion. The Appointing Authority has to take a decision for convening the DPC, and as and when the DPC is convened, the names of eligible candidates are to be considered. The question as to whether the applicants suffer from any ineligibility or disqualification for being considered for promotion, would arise only when the DPC is convened. No observations can be made much less finding can be given,

as to the eligibility of the applicants for promotion, at this stage.

6. We, therefore, dispose of the OA directing that as and when the respondents convene the DPC for promotion to the post of Assistant Director, Forensic Science Laboratory, the names of the eligible candidates shall be considered. In case the applicants are excluded from consideration, the reasons there for, shall be communicated to them, at the relevant time.



7. There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/akshaya/pinky/sd