



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

O.A. No.1560/2020

This the 19th day of October, 2020

(Through Video Conferencing)

**Hon'ble Mr. A.K. Bishnoi, Member (A)
Hon'ble Mr. R.N. Singh, Member (J)**

Mukesh Kumar Singh, Group B,
S/o Shri Shyam Narayan Singh,
Age 54 years,
Employee of Department of Economic Affairs,
Ministry of Finance,
(Presently on deputation as AAO in
15th Finance Commission)
R/o D-1, Lodhi Colony,
New Delhi-110003.

...Applicant

(By Advocate : Shri Padma Kumar S.)

Versus

1. Union of India,
Through Secretary,
Department of Economic Affairs,
North Block,
New Delhi-110011.

...Respondent

(By Advocate : Shri Gyanendra Singh)

ORDER (ORAL)**Mr. R.N. Singh, Member (J) :-**

The applicant has filed the present OA under Section 19 of the Administrative Tribunals Act, 1985, seeking therein the following reliefs :-

“(a) declare the action of the respondents in delaying the holding of the DPC on the ground of the future amendment of the Recruitment Rules as illegal and arbitrary.

(b) direct the respondents to hold the DPC for consideration for promotion of the Applicant to the post of Junior Accounts Officer without any further delay and grant him the consequential benefit, if he is found fit in the DPC.

(c) grant any other relief which this Hon’ble Tribunal may be pleased to allow in the interest of justice.”

2. The learned counsel for the applicant submits that a few vacancies are available to the post of Junior Accounts Officer under the respondents since the year 2019 and one vacancy has arisen to such post in the year 2020. The applicant though was not eligible for being considered for such promotional post in the year 2019, however, he has become eligible as such in the year 2020. Shri Padma Kumar S, learned counsel for applicant submits that in spite of his being eligible and



vacancies available for consideration of the applicant and similarly placed persons for the post of Junior Accounts Officer, the respondents have not considered the applicant for such promotional post inspite of his representations dated 19.06.2020 and 27.07.2020 (Annexure-A/1 colly.).

3. Issue notice. Shri Gyanendra Singh, learned Senior Standing Counsel, who appears for the respondents on advance service, accepts notice.

4. At this stage, Shri Padma Kumar S., learned counsel for applicant submits that the applicant shall be satisfied if the present OA is disposed of with a direction to the respondents to consider the applicant's aforesaid representations and to dispose of the same in a time bound manner.

5. We are of the considered view that if such request on behalf of the applicant is accepted, no prejudice is likely to be caused to the respondents.

6. In view of the aforesaid, without going into the merit of the claim of the applicant, the present OA is disposed of with a direction to the respondents to consider the



applicant's aforesaid representation (Annexure-A/1) and to dispose of the same by passing an appropriate reasoned and speaking order, as expeditiously as possible and in any case within 12 weeks from the date of receipt of a copy of this order.

17. The OA is disposed of in the aforesaid terms. No costs.

(R.N. Singh)
Member (J)

(A.K. Bishnoi)
Member (A)

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