

Central Administrative Tribunal
Principal Bench, New Delhi

OA No. 1240/91

New Delhi this the 9th day of October 1995.

Hon'ble Mr A.V.Haridasan, Vice Chairman (J)
Hon'ble Mr R.K.Ahooja, Member (A)

M.R.Sharma
Junior Hindi Translator
presently on deputation as
Sr. Hindi Translator with
Kendriya Vidyalaya Sangathan
(HQ), JNU Campus
New Delhi- 110 067.

...Applicant.

(Through Shri D.R.Gupta, advocate)

Versus

Union of India through the
Secretary
Govt. of India
Ministry of Commerce
Udyog Bhavan, New Delhi.

2. The Chief Controller of Imports & Exports
Ministry of Commerce
Udyog Bhavan
New Delhi.

...Respondents.

O R D E R (Oral)

Hon'ble Mr A.V.Haridasan, Vice Chairman (J)

The applicant who joined the service as Junior Hindi Translator in the office of the Joint Chief Controller of Imports & Exports through Staff Selection Commission with effect from 7.12.1981 is aggrieved by the fact that though there were vacancies in the post of Hindi Officers, the applicant who is working on the feeder post has not been considered for promotion, probably for the reason that no recruitment rules have been framed in regard to the said post. The applicant, therefore, has filed this application praying that the respondents may be directed to consider the applicant for promotion to the post of Hindi Officer in accordance with the provisions contained in the Model Recruitment Rules for the post of Hindi Officer, and to finalise the Specific Recruitment Rules for the post of Hindi Officer within a period of three months.

2. Though notices were served on the respondents and several opportunities were given to the respondents for filing their reply, the respondents did not choose to file any reply. Today when the case came up for final hearing, none appeared for the respondents. Shri D.R.Gupta appeared for the applicant.

3. Since the respondents did not take care to file reply and none appeared on behalf of the respondents to present their case, we are left with no alternative but to dispose of this application after considering the averments made in the application and the arguments raised on behalf of the applicant.

4. Shri Gupta, learned counsel for the applicant states that during the pendency of this application, the applicant has already been appointed as Hindi Officer in one of the posts on deputation basis. Since the post has been filled by appointing the applicant, we are of the considered view that the interest of justice will be met if the respondents are directed to finalise the recruitment rules, if they intend to frame the recruitment rules, within a period of three months, or if they do not wish to frame recruitment rules, consider the applicant for promotion in accordance with the Model Recruitment Rules.

5. In the result, the application is disposed of directing the respondents to finalise the Specific Recruitment Rules for the post of Hindi Officer within a period of three months from the date of communication of this order and that if no such recruitment rules are finalised or framed within the aforesaid period of three months, to consider the applicant for promotion to the post of Hindi Officer in accordance with the Model Recruitment Rules.

No order as to costs.

R.K.Ahmed
(R.K.Ahmed)
Member (A)


(A.V.Haridasan)
Vice Chairman (J)

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