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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

OA.No.113/91

Dated this the 6th of February, 1995

Shri N.V. Krishnan, Hon. Vice Chairman(A)
Dr. A. Vedavalli, Hon. Member(J)

Shri H.S. Bedi,
A Grade-II employee
in the Labour Department,
Delhi Administration, Delhi. ...Applicant

By Advocate: None.

versus

1. The Chief Secretary, Delhi.
Admn, 5, Sham Nath Marg, Delhi-54.
2. Secretary (services), Delhi
Admn, 5, sham Nath Marg,
Delhi-54. ...Respondents

Shri Vinod Kumar, Assistant, representative on behalf
of the respondents.

O R D E R (Oral)
(By Shri N.V. Krishnan)

The applicant, a Grade-II employee in the Labour Department of the Delhi Administration has filed this OA, aggrieved by the order dated 31.1.90 (Annexure-I), issued by the Chief Secretary, Delhi Administration, promoting a large number of persons belonging to the Grade-II of DASS, Stenographers (Gd-II) and TA/STA etc. to the post of Grade-I of Delhi Administration Subordinate Service "on purely emergent and adhoc basis for a period of six months in the first instance or till regular promotion are made on the recommendations of the Departmental Promotion Committee, whichever is earlier". He has, therefore, prayed for the reliefs mentioned at para-8, as follows:-

"That in view of the facts mentioned in para-4 above, the said petitioner prays that his case of promotion to grade-I of the Service with reference to his juniors, already promoted to Grade-I of the said Service, should be considered and decided independently and be

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not linked with the stay allowed to some of their officials in regard to their petition to which he is not a party, nor is he concerned with that.

He may also be assigned due seniority at Serial No.146-A that is below his immediate senior viz. Shri B.R. Savita (146 Gr.I & 1713 in Gr.II) and above his immediate junior viz. Shri. B.D. Burma (147 in Gr.I & 1718 in Gr.II) in the list of Grade-II officials already promoted to Grade-I of the said service vide their order No.F.55/2/90-S.I. dated 31.1.1990.

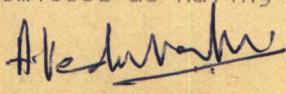
He may also be allowed the financial benefit of promotion to Grade-I of the service vis-a-vis notional pay fixation with reference to pay of his juniors in the Grade-I of the service and other retirement benefits."

2. When the matter came up today for final hearing, the departmental representative for the respondents produced for our perusal, a copy of the order dated 24.6.91 issued in respect of the applicant. By that order, the applicant was also promoted to the post of Grade-I of DASS on purely emergent and adhoc basis with immediate effect. It is also stated in the last para of the order that

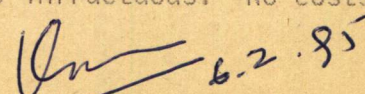
"Consequent upon his promotion to grade-I post, Shri H.S. Bedi (Seniority No .1714-A in the Integrity Seniority List of Grade-II) is hereby posted as Welfare Officer in the Labour Department....."

3. In the circumstances, after the promotion ordered by this order dated 24.6.91, the applicant should find his place in the order issued on 31.1.90 at Sl.No.146(A), ie. between Shri B.R. Savita and Sl.No.147, Shri B.D. Burman.

4. With this clarification, we find that this OA has now become infructuous and accordingly, the OA is dismissed as having become infructuous. No costs.


(DR. A. VEDAVALLI)

MEMBER(J)


(N.V. KRISHNAN)

VICE CHAIRMAN(A)