

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA No. 2377/2004
MA 1990/2004

New Delhi this the 24th day of December, 2004

Hon'ble Mrs. Meera Chhibber, Member (J)

1. Hira Ballabh Pandey,
S/0 Ganga Dutt Pandey
2. Baraham Pal S/0 Mul Chand
3. Sahab Singh S/0 Shri Jai Singh
4. Suresh Chand S/0 Gordhan
5. Rakesh Kumar S/0 Attar Singh
6. Watan Pal S/0 Maha Singh
7. Ram Singh S/0 Bhagwat
8. Baljur Singh S/0 Jogi Ram
9. Harender Kuma S/0 Chattar Singh
10. Jagbir Singh S/0 Ramasare
11. Rajkumar S/0 Mer Singh
12. Kundan S/0 Balram Singh

(All are working as Plaster Assistant in ESI
Hospital, Delhi.

Applicants

(By Advocate Shri A.K.Trivedi proxy for Shri Ravinder
Sharma)

VERSUS

Union of India through

1. Secretary,
Ministry of Health and Family Welfare,
Nirman Bhawan, New Delhi

2. Director General,
ESI Corporation, Panchdeep Bhawan,
Kotla Road, New Delhi.
3. Medical Superintendent,
ESI Hospital, Basaidarpur, New Delhi
4. Medical Superintendent,
ESI Hospital, Sector-15, Rohini,
Delhi.
5. Medical Superintendent,
Indira Gandhi, ESI Hospital,
Jhilmil, Shahdara, Delhi.

Respondents

O R D E R (ORAL)

Mrs. Meera Chhibber, Member (J)

This OA has been filed by as many as 12 applicants who have submitted that all are working as Plaster Assistants and have already completed 10 years of regular service. They have submitted that as per the Recruitment Rules (RRs.), after completion of 8 years of regular service, they are due for promotion as Plaster Technicians. However, the respondents are not convening the Departmental Promotion Committee (DPC) even though the posts of Plaster Technician are available with the respondents. It is submitted by the counsel for the applicants that all the applicants are within the zone of consideration and they have also filed their representations to the Director General on 26.5.2004 (page 9 of the OA) but till date they have neither given any reply on the said representations nor the DPC has been convened.

2. Since the applicants' representations have still not been decided, I think that substantial justice will be met if this OA is disposed of at the admission stage itself, without going into the merits of the case by directing the respondents to consider the representations of the applicants and pass a reasoned and speaking order thereon within three months from the date of receipt of a copy of this order, under intimation to the applicants. I order accordingly. In case it is felt that it necessary to convene the DPC, the same shall be convened expeditiously and the order passed thereon within a



reasonable period otherwise it may be mentioned in the detailed order as to why the DPC cannot be convened. If the applicants are aggrieved, they would be at liberty to challenge the order by filing a fresh OA.

Meera Chhibber
(Mrs.Meera Chhibber)
Member (J)

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