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**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH
CHANDIGARH**

**O.A. No.060/00166/2014
& MA 060/00300/14**

Decided on: 24.04.2014

**Coram: Hon'ble Mr. Sanjeev Kaushik, Member (J)
Hon'ble Mr. Uday Kumar Varma, Member (A)**

1. Jarnail Ram S/o Sh. Kabal Ram, age 54 years, working as Assistant Engineer in the office of Doordarshan Kendra, Jalandhar.
2. Suresh Kumar Dawar, s/o Sh. Hansraj Dawar, working as Assistant Engineer in the office of HPT Doordarshan, Karnal.
3. Rajesh Kumar, s/o Sh. Hazari Mal, working as Assistant Engineer in the office of HPT Doordarshan Nowshera (J&K).
4. Sharat Kumar, s/o Sh. Rameshwar Parsad, working as Assistant Engineer in the office of HPT Doordarshan, Samba (J&K).
5. Bhagwan Ditta, S/o Sh. Kartara Ram, working as Assistant Engineer in the office of Doordarshan Kendra, Jalandhar.
6. Dharm Pal Singh, s/o Sh. Sumer Singh, working as Assistant Engineer in the office of Doordarshan Kendra, Srinagar.

.....Applicants

Versus

1. Union of India through its Secretary, Ministry of Information and Broadcasting, New Delhi.
2. Chief Executive Officer, Prasar Bharti, PTI Building, New Delhi.
3. The Director General, All India Radio, Akashwani Bhawan, Parliament Street, New Delhi.

4. The Director General, Doordarshan, Doordarshan Bhawan, Copernicus Marg, New Delhi. -110001.

.....**Respondents**

Present: Mr. D.R. Sharma, counsel for the applicants
Ms. Nimrat K. Gill, counsel for the respondents

Order (oral)

By Hon'ble Mr. Sanjeev Kaushik, Member(J)

1. Heard.
2. MA 060/00300/14 stands allowed and the judgments annexed therewith (MA-1) are taken on record.
3. By way of the present O.A., the applicants have sought issuance of a direction to the respondents to include their names in the eligibility list for the year 2008 dated 10.02.2014 for the post of Assistant Engineers and subsequently promote them as ADE as per their eligibility and seniority and as per Recruitment Rules along with all consequential benefits subject to the final outcome of the SLP(C) No. 35793-96/2012 titled **Vijay Kumar & Others Vs. Kartar Singh &**

Others.

4. Learned counsel for the applicants have submitted that the in a similar controversy, the High Court of Delhi, vide order dated 28.01.2013 in WP(C) No. 1149/2012 has held that the petitioners

therein were entitled to the benefits of degrees obtained by them through Distance Education mode subject to the outcome of the SLP(C) No. 35793-96/2012. It is further submitted that in a similar controversy, the Hyderabad Bench of the Tribunal in O.A. No. 1077/2012 has given directions that the names of the applicants therein be included in the list subject to the final outcome of the SLP pending before the Hon'ble Supreme Court. On the basis thereof, learned counsel for the applicants herein submits that the present O.A. may be disposed of in the same terms.

5. Learned counsel for the respondents does not controvert the averments made by the learned counsel for the applicants and that the similarly situated persons have been granted the benefit subject to the outcome of the above said SLP.

6. We have given our thoughtful consideration to the matter and perused the order dated 14.12.2012 passed by the Hon'ble Supreme Court in the above said SLP, which reads as under:-

"In the meanwhile, the students whose Degrees and Diplomas have been declared null and void by the High Court in the impugned order may apply for either employment or for admission if the cut-off dates are going to expire before 21st January, 2013."

7. In view of the above directions by the Hon'ble Supreme Court, the orders passed by the High Court of Delhi in WP(C) No. 1149/2012 and the orders passed by the Hyderabad Bench of the Tribunal in O.A. 1077/2012, the present O.A. is disposed of with a direction that the names of the applicants be included in the list of eligible Assistant Engineers, if they are otherwise eligible, for promotion to the post of Assistant Director Engineer, subject to the outcome of the above said SLP.

(UDAY KUMAR VARMA)
MEMBER (A)

PLACE: Chandigarh
Dated: 24.04.2014

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(SANJEEV KAUSHIK)
MEMBER (J)