

**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI**

OA 561/2011

**The 17<sup>th</sup> day of September, 2015.**

**Hon'ble Mr. Justice Syed Rafat Alam, Chairman  
Hon'ble Mr. P.K.Basu, Member (A)**

Hari Om Dubey S/o Shri Ram Avadh Dubey  
Working as Production Assistant  
In Doordarsan Kendra, Mumbai  
r/o House No.163, B-4, Paryatan Vihar  
Vasundhra Enclave (Near Dharam Shilla Hospital  
Delhi -96 ..... Applicant

(By Advocate: Shri Yogesh Sharma)

## **VERSUS**

1. Union of India through the Secretary  
Ministry of Information & Broadcasting  
Shastri Bhawan, New Delhi
  
2. The Director General  
Doordarsan, Doordarsan Bhawan  
Copernicus Marg, New Delhi
  
3. The Director  
Doordarsan, Doordarsan Bhawan  
Copernicus Marg, New Delhi
  
4. The Sr. Director, Doordarshan Kendra  
Mumbai-30 .... Respondents

(By Advocate: Ms. Vartika Sharma)

**Order (Oral)****By Hon'ble Mr.Justice Syed Rafat Alam, Chairman**

In the instant Application, the applicant is aggrieved by the order of the Director, Doordarshan dated 22.09.2010, wherein his date of appointment as Production Assistant is shown to be 31.12.1994, and consequently re-fixing his salary.

2. We have heard Shri Yogesh Sharma, learned counsel for the applicant and Ms. Vartika Sharma, learned counsel appearing for the respondents, and also perused the Application as well as the reply filed on behalf of the respondents.
3. Learned counsel for the applicant vehemently submitted that though the applicant has sought several reliefs in the Application, however, this Application may be confined only with regard to the wrong mentioning of the date of his appointment as Production Assistant in the impugned order dated 22.09.2010, and consequential action of the respondents. He submits that the applicant was appointed as Production Assistant w.e.f. 21.03.1994 in the pay scale of Rs.1400-2600, vide order dated 05.04.2007 contained in Annexure A/7. He, therefore, submits that there is an

apparent mistake in the impugned order showing his date of appointment as Production Assistant as 30.12.1994.

4. On the other hand, learned counsel for the respondents fairly submitted that the aforesaid mistake in mentioning his date of appointment as Production Assistant as 30.12.1994 in place of 21.03.1994 has crept in due to typographical error and, therefore, the respondents have filed an additional affidavit on 08.09.2015 vide diary No.7440, wherein it has been averred that the record and service book of the applicant was verified wherefrom it was noticed that due to typographical error, while issuing order dated 22.09.2010 his date of appointment as Production Assistant is mentioned as 30.12.1994, though factually he was given appointment to the aforesaid post w.e.f. 21.03.1994. The learned counsel further submitted that the applicant, instead of approaching this Tribunal by means of the instant Application, ought to have filed a representation for correction in the order. She, however, submits that necessary steps would be taken after disposal of this Application for correction in the impugned order.

5. We have considered the submissions. When the matter was earlier heard, learned counsel for the applicant fairly submitted that the main controversy in this Application is

regarding the date of appointment of the applicant as Production Assistant, which is incorrectly recorded in the impugned order as 30.12.1994, which itself is found from the documents of the respondents to be as 21.03.1994. Learned counsel for the respondents, therefore, sought time to seek further instructions in the matter, pursuant to which an additional affidavit has been filed wherein it has been averred as under:

“3. That the respondents checked the records and service book whereby the typographical error was done while issuing the order dated 22/09/2010 and same has been taken on record by the respondents and any successive action is been taken in the same light of the typographical error towards the error in the said date.”

6. The relevant page of the service book is also enclosed with the aforesaid additional affidavit. A perusal thereof would also indicate that his promotion to the aforesaid post was w.e.f. 21.03.1994 in the pay scale of Rs.1400-2600 and, therefore, admittedly his date of appointment to the post of Production Assistant is 21.03.1994 and not 31.12.1994 as shown in the order dated 22.09.2010. The respondents also in the additional affidavit have admitted the mistake and gave an explanation that the same has occurred wrongly due to typographical error and it would be rectified.

7. In view of the stand taken on behalf of the respondents and also keeping in view that admittedly the date of promotion of the applicant to the post of production Assistant was wrongly shown as 31.12.1994 in the order dated 22.09.2010, we dispose of this Application with the direction to the respondents to make necessary correction in the order by passing an appropriate order and also to give all consequential benefits, if any, accrued on account of correction in the date of promotion of the applicant, including pension, family pension, etc. The necessary decision/order is to be passed by the respondents within a period of six weeks from the date of receipt of certified copy of this order. No costs.

Let a copy of this order be provided, as prayed, to the learned counsel appearing for the respondents to communicate them for its implementation. Order 'Dasti'

**(P.K.Basu)**  
**Member (A)**

**(Syed Rafat Alam)**  
**Chairman**

uma