

**Central Administrative Tribunal  
Principal Bench**

**CP No.465/2015  
In  
OA No.3959/2013**

New Delhi, this the 26<sup>th</sup> day of October, 2015

**Hon'ble Mr. A.K. Bhardwaj, Member (J)  
Hon'ble Mr. V.N. Gaur, Member (A)**

Mr. Binod Kumar,  
S/o H.No.16, Khasra No.404,  
Laxmi Vihar, Burari,  
Delhi-84.

(By Advocate : Shri Ajesh Luthra)

...applicant

**Versus**

1. Shri Kewal Kumar Sharma,  
Chief Secretary,  
GNCT of Delhi,  
5<sup>th</sup> Floor, Players Building,  
Delhi Secretariat,  
I.P. Estate, New Delhi.
2. Shri Sanjeev Khirwal,  
Principal Secretary,  
(Services),  
GNCT of Delhi,  
7<sup>th</sup> Level, B Wing,  
Delhi Secretariat, IP Estate,  
New Delhi.
3. Smt. Padmini Singla,  
Director,  
Directorate of Education,  
Govt. of NCT of Delhi,  
Old Sectt. Delhi.
4. Shri Rajinder Kumar,  
Commissioner,  
Food & Supply Department,  
GNCT of Delhi,  
K Block, Vikas Bhawan,  
IP Estate, New Delhi-2.

...respondents

(By Advocate : Shri Anmol Pandita for Shri Vijay Pandita)

## **ORDER (ORAL)**

**Mr. A.K. Bhardwaj, Member (J) :-**

In implementation of the order passed by this Tribunal in OA No.3959/2013 dated 13.02.2015, the Govt. of National Capital Territory of Delhi has passed order No.F.55/26/2013/S-I dated 21.10.2015 promoting the applicant to Grade-I (DASS). The order reads thus :-

"GOVERNMENT OF NATIONAL CAPITAL TERRITORY  
 OF DELHI  
 SERVICES DEPARTMENT (SERVICES-I BRANCH)  
 DELHI SECRETARIAT, 7TH LEVEL, 'B' WING  
 I.P. ESTATE, NEW DELHI-110002.

No.F.55/26/2013/SI/

Dated : 21/10/2015

### **O R D E R NO: 543**

In pursuance of the Hon'ble CAT order dated 13.02.2015 in OA No.3959/2013 and on the recommendations of the Review Departmental Promotion Committee, the Chief Secretary, Delhi, is pleased to order appointment of Shri Binod Kumar (DOB: 06.05.1977), Grade-II (DASS), Snty. No.6724 (SC Category), presently posted in Lt. Governor's Secretariat, to the post of Grade-I (DASS) in the pay scale of Rs.9300-34800 with Grade Pay of Rs.4800/- under rule 6 of DASS Rules, 1967, notionally with effect from 07.02.2011 i.e. the date from which his immediate junior Shri Jaldhari Meena, Seniority No.6725 was promoted to the post of Grade-I (DASS).

The above named promoted official may exercise option, if any, within one month in pursuance of the instructions of Government of India regarding fixation of pay as contained in FR-22.

However, Shri Binod Kumar is not entitled to the payment of pay & allowance for the period for which he

has not actually worked as Grade-I (DASS). The benefits will be admissible with effect from the actual date of his joining to the post of Grade-I (DASS). He will avail the benefits of promotion on joining duty in the department in which he has been posted on promotion to the post of Grade-I (DASS).

Consequent upon his promotion to the post of Grade-I (DASS), he is posted as AVATO in Trade & Taxes Department, against a vacant post.

The Head of Department concerned should ensure that no disciplinary proceeding(s) is/are pending against the official, before his relieving to take up new assignment."

2. In the wake, CP is disposed of. Notices issued to the respondents stand discharged. It goes without saying that if the applicant is still aggrieved, it would be open to him to work out his claim in accordance with law.

( V.N. Gaur )  
Member (A)

( A.K. Bhardwaj )  
Member (J)

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