

**Central Administrative Tribunal  
Principal Bench**

**OA No.1171/2016**

New Delhi, this the 29<sup>th</sup> day of March, 2016

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

Kaushal Mehta  
Lecturer (Computer Application)  
Aged about 45 years,  
S/o Shri R. L. Mehta  
R/o House No.229, Sector-17,  
Faridabad 121 002.

Presently posted

Bhai Parmanand Institute of Business Studies  
Opposite Madhuban Colony,  
Shakarpur Extension,  
Delhi 110 092.

... Applicant.

(By Advocate : Shri Sourabh Ahuja)

Versus

1. Govt. of NCT of Delhi  
Through its Chief Secretary  
Delhi Sachivalaya, Players Building,  
IP Estate, New Delhi-2.
2. Principal Secretary/Secretary  
(Technical Education)  
Directorate of Training & Technical Education  
GNCT of Delhi,  
Muni Maya Ram Marg,  
Pitam Pura,  
Delhi – 88.
3. Director (E-I)  
Directorate of Training & Technical Education  
GNCT of Delhi,  
Muni Maya Ram Marg,  
Pitam Pura,  
Delhi – 88.
4. Principal  
Bhai Parmanand Institute of Business Studies,  
GNCT of Delhi,  
Opposite Madhuban Colony,  
Shakarpur Extension,  
Delhi 110 092.

.... Respondents.

(By Advocate : Shri Hanu Bhaskar)

**: O R D E R (ORAL) :****Justice Syed Rafat Alam, Chairman :**

By means of this Application under Section 19 of the Administrative Tribunals Act, 1985, the applicant has sought a direction commanding the respondents to count his previous/past service rendered as Lecturer in other institutions for the purpose of granting the benefit under Career Advancement Scheme (CAS) in terms of All India Council for Technical Education (AICTE) notifications dated 30.12.1999 and 08.11.2012 (Annexure A-4 colly), and consequentially prepone the date of grant of Lecturer (Senior Scale).

2. We have heard Shri Sourabh Ahuja, learned counsel for the applicant and Shri Hanu Bhaskar, learned standing counsel for the respondents.

3. It appears that in respect of grant of benefit under the aforesaid scheme, the applicant has already made representation dated 27.12.2010, followed by another representation dated 18.02.2014, but the respondents have not disposed of the same. It further appears that the Directorate of Training & Technical Education, Delhi, was also informed by the Director, Technical Education, Haryana, the previous employer of the applicant, in respect of service rendered by him vide communication dated 28.02.2005, copy whereof is enclosed as Annexure-5 (colly). From a perusal of the aforesaid letter of the Director, Technical Education, Haryana, it would appear that the applicant rendered service from

31.08.1995 to 27.02.2001 as Lecturer, Computer Engineering in their department.

4. Learned counsel for the applicant, therefore, submits that the respondents ought to have counted the past service rendered by the applicant with the Technical Education Department, Haryana, for the purpose of grant of benefit under the Career Advancement Scheme (CAS).

5. On the other hand, learned counsel for the respondents fairly submitted that the applicant has already availed his remedy by making representation and he has also been intimated vide letter dated 09.06.2014 that the matter is under consideration. He, however, fairly submitted that the Application may be disposed of at this stage finally with the direction to the respondents to dispose of the representation of the applicant expeditiously.

6. In view of the submissions made, and also looking to the facts of the case, we are of the view that since the representation of the applicant for grant of benefit in respect of relief sought for in the instant OA is still pending consideration before the respondents, and also the controversy pertains to factual aspect of the matter, which requires verification from relevant records, it would be appropriate to dispose of this matter at this stage with direction to the respondents to decide the claim of the applicant in respect of giving benefit of previous service rendered by him for the purpose of grant of benefit under Career Advancement Scheme. We, therefore, dispose of this Application with the direction to the respondents to examine the claim of the applicant made through two aforesaid

representations dated 27.12.2010 and 18.02.2014 in the light of relevant schemes, regulations and rules, if framed, in this regard by recording reasons expeditiously, preferably within a period of three months from the date of production of certified copy of this order. We make it clear that our order may not be construed to have expressed any opinion on the merit of the claim of the applicant.

7. With the above order, the OA stands disposed of.

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

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

/pj/