

**Central Administrative Tribunal
Principal Bench**

OA No.1173/2016

New Delhi, this the 29th day of March, 2016

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

Pravir P. Chitre
Lecturer (Computer Application)
Aged about 47 years,
S/o Shri Prakash Chitre,
R/o Quarter No.3, Type-III,
ITI Staff Quarters, Vivek Vihar,
Delhi.

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 21.09.2011, followed by another representation dated 19.12.2012, 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 Principal of Yashwantrao Chavan College of Engineering, Hinga Road, Wanadongri, Nagpur, the previous employer of the applicant, in

respect of service rendered by the applicant vide its communication dated 04.01.2005, copy whereof is enclosed as Annexure-5 (colly). From the perusal of the aforesaid letter of the Yashwantrao Chavan College of Engineering, Nagpur, it would appear that the applicant rendered service from 24.08.1996 to 03.09.2002 as Lecturer in Computer Technology 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 for the purpose of grant of benefit of Career Advancement Scheme (CAS).

5. On the other hand, learned counsel for the respondents fairly submitted that since the applicant has already availed the remedy by making a representation, this Application is premature. Besides that, he has already 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 aspects of the matter which requires verification from the relevant records, it would be appropriate to dispose of this matter at this stage with the direction to the respondents to decide the aforesaid claim of the applicant in

respect of giving benefit of previous service rendered by him for the purpose of grant of benefit of Career Advancement Scheme. We, therefore, dispose of this Application with the direction to the respondents to examine the grievance of the applicant made through two representations dated 21.09.2011 and 19.12.2012 in light of the relevant schemes, regulations and rules 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 in respect 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/