

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

O.A. No.1246/2012

New Delhi this the 16th day of December, 2016

Hon'ble Dr. K.B. Suresh, Member (J)
Hon'ble Mr. K.N. Shrivastava, Member (A)

Shyamvir,
S/o Late Sh. Ramdhan,
R/o A-1, Gopal Nagar Colony,
Main Dhansa Road, Najafgarh,
New Delhi-110043

- Applicant

(By Advocate: PT. Sama Singh and Mr. Bhawqani Shanker Sharma)

Versus

1. Government of NCT of Delhi,
Through its Chief Secretary,
Delhi Secretariat, IP Estate,
New Delhi-110002
2. The Divisional Commissioner,
Secretary (Revenue)
Govt. of NCT of Delhi,
5, Sham Nath Marg, Delhi-110054
3. The Deputy Commissioner,
South West Revenue Department,
Kapashera, New Delhi
4. The Sub-Divisional Magistrate-I,
(Head Quarters)
5, Shamnath Marg, Delhi-110054

- Respondents

(By Advocate: Mr. Vijay Pandita)

ORDER (Oral)

Dr. K.B. Suresh, Member (J):

Heard.

2. In the present OA, the applicant is praying that he may be promoted to the post of Kanoongo w.e.f. 18.08.2004, as he had been in the parameters of consideration.

3. We heard both the learned counsels in great detail and examined the records and found that there were 13 vacancies, one

for SC and one for ST and 11 for General. The applicant was next in line to be considered while one Ashok Kumar, who was considered and selected, could not be appointed for some reasons. That left one post vacant and necessarily, the applicant ought to have been appointed to that post. The OA, therefore, is allowed. The applicant shall be deemed to have been promoted as Kanoongo w.e.f. 27.09.2004. The benefits will be notional from this date. The actual benefits may be computed from the date of filing of the present OA and are to be granted to the applicant within the next three months. No costs.

(K.N. Shrivastava)
Member (A)

(Dr. K.B. Suresh)
Member (J)

/lg/