

**Central Administrative Tribunal
Principal Bench, New Delhi**

O.A. No.743/2013

Monday, this the 26th day of October , 2015

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

Mr. D P S Verma
s/o Mr. Sahib Singh Verma
World Class Skill Centre
D.T.T.E. HQ, Maya Muni Ram Marg
Pitampura, Delhi-110088

..Applicant

(Mrs. Meenu Mainee, Advocate)

Versus

1. The Chief Secretary
Govt. of NCT of Delhi
Delhi Secretariat
IP Estate, Delhi
2. Secretary
Deptt. of Training and Tech. Edn
Muni Mayaram Marg, Pitampura
Delhi-88
3. Secretary
Union Public Service Commission
Shahjahan Road
New Delhi

..Respondents

(Mr. Amit Anand Advocate for respondent Nos. 1 and 2 –
Mr. Rajinder Nischal and Mr. Ashish Nischal, Advocates for respondent
No.3)

O R D E R (ORAL)

Mr. A.K. Bhardwaj:

The short issue arises to be determined in the present Original Application is “whether the applicant should get promotion to the post of Assistant Director/ Principal ITIs/ BTC in the Department of Training and Technical Education against 33-1/3% quota or 66-2/3% quota”. According

to the respondents, once in the year 2002 the applicant had been promoted to Group 'A', his claim for promotion against 66-2/3% had vanished and he could remain eligible against 33-1/3% quota only.

2. According to Mrs. Meenu Mainee, learned counsel for applicant, certain such individuals, who were junior to the applicant in Group 'B', could subsequently get promotion to the post of Assistant Director ahead of him and an anomalous situation could be created. According to her, the Chief Secretary, Delhi Government could approve the proposal for his promotion against 66-2/3% quota to do away the skewed situation.

3. We find from the impugned order that the proposal regarding promotion of applicant against 66-2/3% quota and approval of the same by the Chief Secretary, Delhi Government has not been commented upon.

4. In the wake, the Original Application is disposed of with direction to respondents to have a relook into the matter and decide whether the applicant can be considered for his promotion against 66-2/3% quota after taking into account the proposal relied upon by the learned counsel for applicant (ibid). The respondents may also decide the representation of the applicant dated 28.8.2012 (Annexure A-16). Let the needful be done within four weeks from the date of receipt of a copy of this Order. The outcome of the examination / consideration may be communicated to the applicant by way of detailed speaking and reasoned order. No costs.

(V.N. Gaur)
Member (A)

(A.K. Bhardwaj)
Member (J)

October 26, 2015
/sunil/