

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

O.A.No.2515/2014
M.A.No.2125/2014

Tuesday, this the 13th day of December 2016

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

Mr. Kaptan Singh, age 42 years
s/o Mr. Prasadi Lal
Assistant Teacher
EDMC Primary School
M-II Nand Nagri
Delhi – 93
R/o C-12/28, Meet Nagar
Shahdara, Delhi - 94

..Applicant

(Mrs. Meenu Mainee, Advocate)

Versus

Govt. of NCT of Delhi through:

1. The Chief Secretary
Govt. of NCT, Delhi
Delhi Secretariat
Near ITO Complex
New Delhi
2. Director of Education
Govt. of NCT of Delhi
Old Secretariat, Delhi

..Respondents

(Mr. Vijay Pandita, Advocate)

O R D E R (ORAL)

Dr. K.B. Suresh:

Heard the learned counsel for the parties.

2. The applicant through this O.A. challenges denial of his promotion apparently on the ground that the elective subjects had not been covered by the applicant in his graduation studies. Therefore, with the help of Mr.

Vijay Pandita, learned counsel for respondents, we examined the matter in detail through the documents and through hearing.

3. In paragraph 4.15 of the counter reply, an elective subject is mentioned as Social Science. The reply also clarifies that the elective subject Social Science has been defined as (i) History, (ii) Political Science, (iii) Economics, (iv) Business Studies, (v) Sociology, (vi) Geography and (vii) Psychology. As the applicant had studied Economics and Business Studies as he did his graduation in Commerce. That being so, the parameters required in the Recruitment Rules have been satisfied by the applicant and the impugned order is, therefore, clearly wrong and illegal.

4. We, therefore, quash the impugned order and direct the respondents to consider the applicant for his promotion in the time frame in which he could have been considered earlier, and grant such benefits flowing from it. This shall be done within a period of two months from the date of receipt of a copy of this order. No costs.

In view of the aforesaid order, no separate order is required to be passed in M.A. No.2125/2014. M.A. stands disposed of.

(K.N. Shrivastava)
Member (A)

December 13, 2016
/sunil/

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