

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI**

**M.A. No.1522/2017
O.A. No.1727/2016
M.A. No.1675/2016
M.A. No.1676/2016**

New Delhi, this the 22nd day of May, 2017

Hon'ble Mr. V. Ajay Kumar, Member (J)
Hon'ble Mr. K.N.Shrivastava, Member (A)

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Aged about- 55 years
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13. Smt. Vineeta Asim Sadhu
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S/o Shri Ram Lal
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26. Ram Uday Choudhary
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S/o Shri Radha Mohan Upadhyay
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29. L.B. Prasad
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32. Ravinder Gupta
Aged about- 45 years

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40. Dinesh Kr. Rawat
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S/o Late Shri Chandra Singh
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41. Yogesh Govil
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..... Applicants

(By Advocate: Shri M.K. Bhardwaj)

VERSUS

1. Union of India,
Through its Secretary,
Deptt. of Official Language,
Ministry of Home Affairs, North Block,
New Delhi.
2. The Jt. Secretary,
Deptt. of Official Language,
Lok Nayak Bhawan, Khan Market, New Delhi.
3. The Secretary,
Union Public Service Commission,
Deptt. of Official Language,
Dholpur House, Shahjehan Road,
New Delhi-110003.

.... Respondents.

(By Advocate: Shri Gyanender Singh)

ORDER (ORAL)

By Hon'ble Mr.V. Ajay Kumar,

Heard both sides.

2. MA No.1675/2016, filed for joining together, is allowed. MA No.1676/2016, filed for seeking exemption, is also allowed.

3. The applicants, who are working as Sr. Translators, filed the OA seeking the following reliefs :-

- “(a) To declare the action of the respondents in not filling up available vacancies of Assistant Director by promotion as per the quota prescribed in the Recruitment Rules and notifying the 50 vacancies for filling up by way of direct recruitment, as illegal and arbitrary.
- (b) To declare the action of respondents in filling up 50 vacancies of Assistant Director by way of direct recruitment and not making promotions in the equal proportionate as per RRs amongst Sr. Translator as illegal and arbitrary and issue appropriate directions to fill up all the available vacancies of Assistant Director upto 30.04.2015 by way of promotion in the ratio of 75:25 as prescribed in the statutory Recruitment Rules notified and implemented w.e.f.01.05.2015.
- (c) To direct the respondents to calculate the vacancies of Assistant Director correctly and fill up the same strictly as per the prescribed quota in the RRs by considering the claim of applicants as well as other eligible officers.
- (d) To quash and set aside the impugned advertisement No.12/2015 and issue further directions to fill up all the vacancies of Assistant Director as per the quota prescribed in the RRs.
- (e) To allow the O.A. with costs.
- (f) Pass such other direction or directions order or orders as this Hon'ble Tribunal may deem fit and proper to meet the ends of justice e.”

3. When this matter is taken up, our attention is drawn to para 7 of short reply filed on behalf of the respondents and the same reads, as under :-

“7. A proposal to promote 81 numbers (51 ad hoc Assistant Directors, 30 Senior Translators) of Senior most eligible officers/officials on regular basis against the vacancies for the year 2015-16 is already under consideration and the process to obtain the annual performance appraisal report, vigilance clearance certificates,

integrity certificates, no penalty certificates etc. in respect of 125 officials, who are under zone of consideration for promotion on regular basis for the vacancies meant for the year 2015-16, from their concerned Ministries/Departments has already been initiated.”

4. It is submitted that in view of initiation of the process by the respondents, they may be directed to pass final orders within a specified timeframe.

5. In the circumstances, the OA is disposed of by directing the respondents to give effect to para 7 of the short reply, referred to herein before and to pass final orders of promotion to the applicants, if they are otherwise eligible within three months from the date of receipt of a copy of this order.

Pending MAs, if any, stand disposed of. No costs.

(K.N.Shrivastava)
Member (A)

(V. Ajay Kumar)
Member (J)

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