

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI**

O.A No. 3449/2014

M.A No. 2946/2014

New Delhi, this the 08th day of August, 2017

Hon'ble Mr. Justice Permod Kohli, Chairman
Hon'ble Mr. K. N. Shrivastava, Member (A)

1. B. L. Bhat (Aged – 56 years)
S/o. Sh. Dwarka Bath Bhat,
R/o. 1926 A-Jain Nagar, Delhi – 110 081.
2. B. P. Manjhi (Aged – 54 years)
S/o. Sh. Baisakhu Manjhi
R/o. XY-24, Sarojini Nagar, New Delhi – 110 023.
3. R. L. Meena (Aged – 56 years)
S/o. Sh. Ram Chander Meena,
R/o. I-50, Sarojini Nagar, New Delhi – 110 023.
4. S. P. Sharma (Aged – 58 years)
S/o. Late Sh. Beli Ram Sharma,
R/o. 681-A, Gandhinagar, Jammu – 180 004.
5. S. L. Peshan (Aged – 55 years)
S/o. Late Sh. Gopi Nath,
R/o. 1052, Sector-12,
R. K. Puram, New Delhi.Applicants

(By Advocate : Ms. Harvinder Oberoi)

Versus

Union of India
Through Secretary,
Ministry of Statistics and Programme
Implementation, Sardar Patel Bhawan,
Sansad Marg, New Delhi – 110 001. ...Respondent

(By Advocate : Mr. Rajinder Nischal)

O R D E R (O R A L)

Justice Permod Kohli, Chairman

Since the O.A was filed by the applicants when they were already serving on the post of Statistical Investigators Grade I on substantive basis and were functioning as Assistant Directors on ad hoc basis. The applicants' claim following reliefs :-

“(I) Direct the respondents to initiate/complete the process of filing up the vacancies of Assistant Directors (JTS), by holding regular DPC and their candidature for regular promotion can be considered along with others interns of existing rules.

(II) Quash and set aside the impugned order dated 19.09.2014 (***Annexure A-1***).

(III) OA be allowed along with Grant all consequential benefits to the applicants, if any due under the statutory rules and law.

(IV) Issue any such and further order/directions the Hon'ble Tribunal deems fit and proper in the facts and circumstances of the case.”

2. It is admitted case of the parties that during the pendency of this petition the applicants have been promoted on regular basis as Assistant Director (JTS) consequent upon holding of DPC with effect from 30.04.2015. Hence, the prayer no. I stands granted. The IInd prayer is quashment of the impugned order dated 19.09.2014. By virtue of this order, the ad hoc promotion of the applicants as Assistant Director was terminated and they were ordered to be reverted back to their substantive posts. The reversion of the applicants was stayed by this Tribunal vide order dated 25.09.2014 and they continued

on the posts of Assistant Director on ad hoc basis. Since the applicants have now been regularised as Assistant Directors and the order of reversion was never implemented, this relief is also rendered infructuous.

3. Ms. Harvider Oberoi, learned counsel for the applicants however submits that the delay in holding the DPC was deliberate and in support of her contentions she is referring to an earlier order passed by this Tribunal in another O.A No. 1709/2012 decided on 12.11.2013.

4. We are of the considered view that any of the observations made by this Tribunal in the said case pertains to the facts of said case only and cannot be imported as an opinion of the Tribunal in the present O.A. In any case, reliefs prayed for by the applicants have been granted to them. If the applicants have any dispute regarding their seniority etc. in future, they are at liberty to approach the respondents or seek any remedial measure as available in law. With this observation, the O.A stands dismissed as infructuous. No costs.

(K. N. Shrivastava)
Member (A)

(Justice Permod Kohli)
Chairman

/Mbt/