

**Central Administrative Tribunal
Principal Bench**

OA No.3710/2017

New Delhi, this the 26th day of October, 2017

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

Naveen Joshi, Grade II Dass
Age about 59 years,
S/o Sh. R. K. Joshi,
R/o BB-SG, DDA (MIG) Flats,
Munrika, New Delhi – 110 067.Applicant

(By Advocate : Shri G.D. Chawla)

Versus

Govt. of NCT of Delhi Through

Chief Secretary,
Delhi Secretariat, I.P. Estate,
New Delhi – 110 001.

Secretary (Services)
Delhi Secretariat, I.P. Estate,
New Delhi-110 001.

Controller of Accounts,
Principal Accounts Office,
A-Block, Vikas Bhawan,
I.P. Estate,
New Delhi – 110 001.

Secretary,
Weight and Measure Department,
117-118, C Block,
Vikas Bhawan, I.P. Estate,
New Delhi-110 001.Respondents

(By Advocate : Shri N.K. Singh for Mrs. Avnish Ahlawat)

ORDER (ORAL)

Justice Permod Kohli :

Notice. Shri N.K. Singh proxy counsel for Mrs. Avnish Ahlawat, appears and accepts notice on behalf of respondents.

2. The applicant was initially appointed as Stenographer Grade-III on 23.10.1979. It is alleged that his batch mates were promoted to Grade-II in 1997 ignoring the applicant. The applicant made several representations but his ACRs were not available which caused delay in his promotions/ACP/MACP. Subsequently, the cadre of the applicant was changed from Stenographer Grade-II to Head Clerk Grade II, and he was promoted as Grade-II (DASS), in the pay scale 5500-9000 (pre revised) and PB-2 Rs.9300-34800 with grade pay of Rs.4200/-(revised) and was posted in PAO, Govt. of NCTD vide order dated 07.06.2012. The applicant is now seeking promotion as Grade-I (DASS) from the date his juniors were promoted on 19.01.2007 and 05.02.2007 and further Non Functional Scale in the year 2011. The applicant has been shown at Sl. No.5731A of the seniority list of Grade-II (DASS) as on 01.01.2000, i.e., above one Shri Gulshan Kumar Ahuja at Sl. No.5732.

3. Vide letter dated 04.09.2017(Annexure A-1), the Services Department of Govt. of NCTD sought information regarding the ACRs, integrity certificate and vigilance report of the applicant for consideration of his promotion to the post of Grade-I (DASS). The applicant was to retire on 30.09.2017. The prayer made in this OA is for a direction to the respondents to consider the case of promotion of the applicant to grade-I (DASS) w.e.f. 05.02.2007 and further for grant of NFSG w.e.f. 05.02.2011 along with arrears of pay and allowances etc.

4. Keeping in view the contents of order dated 04.09.2017 (Annexure A-1), whereby the information regarding the ACRs, integrity certificate, vigilance report in respect of the applicant has been sought, we dispose of this OA at the admission stage with a direction to the respondents to consider claim of the applicant for promotion in accordance with the rules within a period of three months from the date of receipt of a copy of this order and the outcome be communicated to the applicant.

(K.N. Shrivastava)
Member(A)

(Justice Permod Kohli)
Chairman

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