

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

OA-3177/2018

New Delhi, this the 24th day of August, 2018

**Hon'ble Sh. V. Ajay Kumar, Member(J)
Hon'ble Sh. A.K. Bishnoi, Member(A)**

Amitosh Kumar, Workshop Instructor, Group 'B',
Aged about 55 years,
s/o late Sh. Kalu Ram,
R/o A-46, Gali No. 2,
Braham Puri, Delhi-110053
O/o Aryabhatt Institute of Technology,
G.T. Karnal Road, Delhi-110033. ... Applicant

(Through Sh. M.K. Bharadwaj)

Versus

1. Govt. of NCT of Delhi,
Through its Chief Secretary,
IP Estate, New secretariat, Players Building,
New Delhi.
2. The Principal Secretary,
Department of Training & Technical Education
Muni Maya Ram Marg,
Pitampura, Delhi-110088.
3. The Director,
Department of Training & Technical Education
Muni Maya Ram Marg,
Pitampura, Delhi-110088.
4. The Secretary,
Union Public Service Commission,
Dholpur House, Shahjahan Road, New Delhi.
5. The Chairman,
All India Council of Technical Education,
Govt. of India,
Nelson Mandela Road,
Vasant Kunj, New Delhi. ... Respondents

(through Sh. H.A. Khan)

ORDER(ORAL)**Hon'ble Sh. V. Ajay Kumar, Member(J)**

Heard learned counsel for the applicant Sh. M.K. Bharadwaj and Sh. H.A. Khan, learned counsel for the respondents on receipt of advance notice.

2. The applicant filed the OA seeking the following reliefs:

- “(i) To direct the respondents to consider the claim of applicant for promotion to the post of Foreman Instructor (Mechanical Engineering) as per the seniority position mentioned in letter dated 09.01.2012 and promote the applicant to the said post being the senior most WSI from the date of occurrence of vacancy.
- (ii) To declare the action of respondents in not holding DPC to the post of Foreman Instructor (Mechanical Engineering) as illegal and issue appropriate directions to hold DPC to fill up the available vacancies of Foreman Instructor (Mechanical Engineering) by considering the claim of the applicant and issue promotion order of applicant as Foreman Instructor (Mechanical Engineering) with all consequential benefits and arrears of pay from due date of occurrence of vacancy i.e. 01.05.2016.
- (iii) to allow the OA with cost.
- (iv) to pass any such other order as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case.”

3. It is submitted that though the respondents initiated the process for selection to the post of Instructor (Mechanical) in February, 2018 but till date they have not conducted the DPC.

4. In the circumstances, the OA is disposed of at the admission stage itself without going into the merits of the case by permitting the applicant to make an appropriate representation ventilating his grievances to the respondents within two weeks from the date of receipt of a certified copy of this order and on receipt of such a representation from the applicant, the respondents shall consider the same and pass an appropriate reasoned and speaking order within ninety days therefrom, in accordance with law. No costs.

Let a copy of the OA, be enclosed to this order.

(A.K. Bishnoi)
Member(A)

(V. Ajay Kumar)
Member(J)

/ns/