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Central Administrative Tribunal
Principal Bench

OA No. 803/2003

New Delhi, this the 8th day of July, 2003

Hon'ble Shri Kuldip Singh, Member(J)
Hon'ble Shri Govindan S.Tampi, Member (A)

Dr. Pawan Kumar Tomar,
S/o Shri Iqbal Singh,
Sectional Officer,
Horticulture Development Divn-i,
PWD. 13th Floor, MSO Building,
Police Headquarters, I.P.Marg,
New Delhi.

...Applicant.

(By Advocate: Shri Shyam Babu)

Versus

1. Union of India through
its Secretary,
Ministry of Urban Development,
Nirman Bhawan,
New Delhi-110011.
2. The Director General of Works,
CPWD, Nirman Bhawan,
New Delhi-110011.
3. The Director (Horticulture)
CPWD, I.P.Bhawan,
New Delhi.
4. The Chairman,
Union Public Service Commission,
Dhaultpur House,
Shahjahan Road,
New Delhi.
5. Mr.Ajay Kumar Saxena,
Assistant Director (Horticulture),
6. Mr.Nigam Prakash,
Assistant Director (Horticulture),
7. Mr.Chittaranjan Singh,
Assistant Director (Horticulture),
8. Mohd, Javed Khan,
Assistant Director (Horticulture),
9. Mr.Balwant Singh,
Assistant Director (Horticulture),
10. Mr.Rajendra Prasad,
Assistant Director (Horticulture),
11. Mr.S.N.Labh,
Assistant Director (Horticulture),

(Services on Resp.5 to 11 to be effected through
Respondent No.2)

...Respondents.

ORDER(ORAL)

By Shri Kuldip Singh, Member(J)

Heard learned counsel for applicant.

2. Applicant has filed this OA seeking following
reliefs:



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a) Call for the records of the case and declare that the new recruitment rules for the post of Assistant Director (Hort) notified on 20.11.99 (Annexure G) are arbitrary and unconstitutional;

b) Notwithstanding the above mentioned prayer and in any case give direction to the respondent to now calculate the vacancies in the grade of Asst, Director (Hort) against quota of direct recruitment w.e.f. August, 1996 by considering new R/R prospectively and take immediate steps to fill up the same;

c) Quash / Set aside the Order dated 31.8.2001 (Annexure H) with further declaration that these seven vacancies belong to the quota of direct recruitment;

d) Give direction to the respondents to fix the seniority of the applicant in case of his selection/appointment through UPSC at an appropriate place and against the year in which the vacancies of direct recruitment had arisen with all consequential benefits;

e) Pass such other or further orders as may be deemed fit and proper in the facts of the case and grant all consequential reliefs/benefits as admissible to the applicant; and

3. Before filing this OA applicant has made a representation on 9th July, 2002 to the respondents which has not been decided so far.

4. Keeping in view the same, we find that this OA can be disposed of with a direction to Respondent No.1 to decide the representation of the applicant within two months from date of receipt of a copy of this order. We do so accordingly.

Dasti.

(Govindan S. Pampi)
Member(A)

(Kuldip Singh)
Member(J)

/kdr/