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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. No.1169 of 2003

New Delhi, this the 12th day of May, 2003

HON'BLE SMT. LAKSHMI SWAMINATHAN, VICE CHAIRMAN (J)
HON'BLE SHRI S.K. AGRAWAL, MEMBER (A)

Shri K.K. Saxena
S/o Shri Nathu Ram
R/o 193, VPO - Bankner,
Narela, Delhi-110040.

....Applicant

(By Advocate : Shri S.K. Gupta)

Versus

1. Govt. of NCT of Delhi,
Through Chief Secretary,
Delhi Secretariat,
I.G. Stadium, I.P. Estate,
New Delhi-110002.
2. Principal Secretary (Home),
Govt. of NCT of Delhi,
Delhi Secretariat,
I.G. Stadium, I.P. Estate,
New Delhi-110002.
3. Chief Fire Officer,
Delhi Fire Service,
Fire Headquarters,
Connaught Circus,
New Delhi.Respondents

ORDER (ORAL)

HON'BLE SMT. LAKSHMI SWAMINATHAN, VICE CHAIRMAN (J) :

Heard Shri S.K. Gupta, learned counsel for the ^{2/2}
applicant.

2. The applicant submits that the respondents are not disposing of his representation, in which he has made a request to them to hold the DPC for the purpose of filling up the posts of Station Officers in Delhi Fire Service, in terms of the relevant instructions and circulars issued by the Govt. of India. According to the applicant, there is a vacancy of Station Officer and the applicant is also qualified for being

1/2

(2)

considered for the same except that the respondents are not holding the DPC. Learned counsel submits that officers upto ^{Serial No. 85} have already been considered for the above post on promotion and applicant's name in the seniority list is at Serial No.86. He has also drawn our attention to the order passed by the Tribunal on 21.8.2002 in OA No.2067/2002, which is on a similar issue. In that application filed by Shri Ved Pal, the OA was disposed of with a direction to respondent No.2 to consider the representation made by him and take appropriate action by holding a DPC as early as possible, in accordance with the Government of India/DOP&T's relevant rules and instructions on the subject. Learned counsel submits that in compliance with the previous order dated 21.8.2002, necessary DPC has been held with regard to applicant - Shri Ved Pal and it is exactly the same relief that the applicant is claiming in the present application. Learned counsel submits that he will be satisfied if a similar direction is given to the respondents to dispose of his representation dated 21.2.2003 (Annexure A-3).

3. We note that in that representation the applicant had requested the respondents to hold the DPC well before 31.3.2003 for his promotion to the post of Station Officer and that date has since expired. However, we are informed that no such DPC has been held by the respondents.

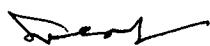
4. One of the main reliefs prayed for by the applicant in the present application is that a

182

(3)

direction may be given to the respondents to decide the aforesaid representation of the applicant for the purpose of holding of DPC without any delay and to pass such other and further orders as deemed fit.

5. Taking into account the aforesaid relevant facts and circumstances made by the learned counsel for applicant, we dispose of the present application, at this stage, even without issuing notice to the respondents, with a direction to them that, in case the respondents have not taken steps to hold the DPC for any vacant post that is existing in the cadre of Station Officer, they shall do so expeditiously, keeping in view the relevant rules and instructions issued by the Govt. of India, Department of Personnel and Training on the subject. In any case, respondents should take a decision within three months from the date of receipt of a copy of this order.



(S.K. AGRAWAL)
MEMBER (A)



(SMT. LAKSHMI SWAMINATHAN)
VICE CHAIRMAN (J)

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