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Central Administrative Tribunal, Principal Bench

O.A. No. 1782 of 2003

New Delhi, this the 15th day of March, 2004

Hon'ble Mr. Justice V.S. Aggarwal, Chairman
Hon'ble Mr. S.K. Naik, Member (A)

1. Shri Rajbir Singh,
S/o Shri Mithan Singh,
R/o X-96/1, Gali No.13,
Brahmapuri, Delhi-53
2. Shri Prem Sagar,
S/o Shri Sukan,
R/o 0-89, Jyoti Colony,
Shahdara, Delhi
3. Shri Jai Prakash Sharma,
S/o Shri S.P. Sharma,
R/o RZ-E/2, New Roshan Pura,
Najafgarh, New Delhi
4. Shri Ramji Lal
S/o Shri Mangal Singh,
R/o RZ-E/1, New Roshan Pura,
Najafgarh, New Delhi
5. Shri Richpal Singh,
S/o Shri Ram Singh,
R/o RZ-E/1, New Roshan Pura,
Najafgarh, New Delhi
6. Shri Ravinder Singh,
S/o Shri Bhopal Singh,
R/o Gali No.3, Gopalpur,
New Delhi
7. Shri Jitender Kumar Sharma,
S/o Shri M.P. Sharma,
R/o D-89/1, Jyoti Colony,
Shahdara, New Delhi
8. Shri Roop Kishore Sharma,
S/o Shri Shanti Swaroop Sharma,
C/o Sushila Bhardwaj,
New Colony, Kapashera,
New Delhi
9. Shri Krishan Pal Maan,
S/o Shri Sabhachand,
R/o Munshi Gali No.1,
Nehru Vihar, New Delhi
10. Shri Rajpal Singh,
S/o Shri Nahpal Singh,
R/o Village Sailzabad,
Near Saket Marble House,
New Delhi

11. Shri Tribhuvan Singh,
S/o Shri J.P. Singh,
C/o Ramjilal,
R/o RZ-E/1, New Roshnan Pura,
Najafgarh, New Delhi
12. Shri Braham Singh,
S/o Shri Chander Singh,
R/o Near 80 Foot Colony Mandoli,
Delhi
13. Shri Krishanpal Singh Tomar,
S/o Shri Ramkishan Singh,
R/o H. No. 220,
Neharpur, Delhi
14. Shri Arvind Kumar,
S/o Shri Balak Ram,
R/o House No. 779, Village Sawana,
Delhi
15. Shri L.D. Yadav,
S/o Shri Bhutoto Yadav,
R/o C/o /1, New Roshnan Pura,
Najafgarh, New Delhi
16. Sh. Ho Ram Singh,
S/o Sh. Nathi Singh,
R/o B-113, Bhagirathi Vihar,
Near Shiv Mandir, Delhi

....Applicants

(By Advocate: Shri G.D.Gupta, Sr.counsel with Shri S.K. Das)

Versus

1. Lt. Governor of Delhi
Governor House,
Sham Nath Marg, Civil Lines,
Delhi
2. Government of N.C.T. of Delhi,
Through Secretary (Services),
Services-I Department, Delhi Secretariat
7th Level, B Wing, I.P. Estate,
New Delhi
3. Development Commissioner
Department of Development,
Government of N.C.T. of Delhi,
5/9, Under Hill Road,
Delhi-54
4. Karambir, T.A., presently working as
Suptt., Office of Director of
Animal Husbandry, Govt. of N.C.T. of Delhi,
Old Secretariat Building,
5, Shamnath Marg,
Alipur Road, Delhi
5. Ashok Kumar
6. R.C. Rana
7. Harbir Singh

8. Rajpal Singh
9. Dilip Singh
10. Bajendra Singh
11. Satya Kumar
12. Yogendra Singh
13. S.C. Sharma
14. Rajendra Singh
15. Mishri Lal Yadav
16. Somvir Arya
17. Ram Avtar Gupta
18. Devendra Kumar (Dead)
19. Suresh Kumar
20. Amar Singh Kardom
21. Murli Dhar Sharma (Retd)
22. Naipal Singh

All the above 18 persons Sl.No.5 to 22 are presently working as Supdt., Directorate of Education, Govt. of N.C.T. of Delhi, Old Secretariat Building, 5 Shambhav Marg, Alipur Road, Delhi

....Respondents

(By Advocate: Shri George Paracken, for official respondents
None for private respondents)

O R D E R (ORAL)

By Justice V.S. Aggarwal, Chairman

By virtue of the present petition, the applicants seek quashing of the notification of 21.1.2002 and the office order of 2.6.2000. They further seek quashing of the promotion order of 8.8.2002. Thirdly, it is prayed that respondents should be directed to consider the candidature of the applicants for promotion to Grade-I of DASS and extend similar benefits as have been extended to the 19 private respondents mentioned in the impugned order.

2. Learned counsel for official respondents states that relief no.3 is in the alternative and cannot be granted.

3. There is no dispute at either end that earlier O.A. No. 2937/2001 had been filed which was allowed by this

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Tribunal on 19.9.2003. The impugned notification and the office order have already been quashed. Resultantly, the promotion order of the private respondents who have not cared to contest should be also be quashed.

4. For these reasons, on parity of reasoning given in O.A. 2937/2001, the present petition is allowed. The alternative relief prayed, need not be granted.

S.K. Naik
(S.K. Naik)

Member (A)

V.S. Aggarwal
(V.S. Aggarwal)
Chairman

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