

Central Administrative Tribunal, Principal Bench

Original Application No. 2235 of 2003

New Delhi, this the 12th day of April, 2004

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

Satya Vir Singh Vats
S/o late Shri Amar Singh
Aged 44 years
Driving Instructor
Delhi Transport Department,
Auto Rickshaw & Taxi Unit, Burari
New Delhi
R/o H.No. 418, Village & P.O. Karala
Delhi-81

....Applicant

(By Advocate: Shri M.S. Ahluwalia)

Versus

1. Delhi Transport Department,
Govt. of NCT of Delhi,
5/9 Under Hill Road,
Delhi
2. Principal Secretary-cum-Commissioner
Transport Department
Govt. of NCT of Delhi,
5/9 Under Hill Road,
Delhi
3. Dinesh Kumar
S/o Shri D.C. Jajoria,
R/o 5573/75, Regarpura,
Karol Bagh,
New Delhi
(Working as MVI)
Delhi Transport Department
Govt. of NCT of Delhi
4. Rakesh Kumar
S/o Shri Rajpal Singh,
A-27/2, Devli Extension,
New Delhi
(Working as MVI)
Delhi Transport Department
Govt. of NCT of Delhi

....Respondents

(By Advocate: Shri Vijay Pandita, for respondents 1&2
None for respondents 3&4)

O R D E R (ORAL)

By Justice V.S. Aggarwal, Chairman

Applicant Satya Vir Singh Vats by virtue of the
present application seeks a direction to promote him to the

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post of Motor Vehicle Inspector in the Transport Department, Government of National Capital Territory of Delhi and to award him his due seniority with certain consequential benefits.

2. During the course of submissions, the facts precipitated and the controversy became limited. It becomes unnecessary, therefore, for us to express further in this regard. The reason being that applicant contends that persons junior to him who did not fulfil the qualifications as per Recruitment Rules have been appointed/promoted. In this process, the applicant is ignored illegally. In addition to that, representation of the applicant has also not been decided.

3. Keeping in view the facts that were so agitated and also that amendment took place in the year 1999 in the recruitment rules for the post, we dispose of the present petition directing -

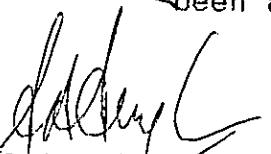
(a) it should be re-considered as to if the applicant could be considered for promotion in case the posts were available before the amendment in the recruitment rules that had been effected on 9.4.99; and

(b) otherwise, the representation of the applicant be considered as per law and instructions including the assertions

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that his juniors as stated above have

been appointed.


(S.A. Singh)
Member (A)


(V.S. Aggarwal)
Chairman

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