**Central Administrative Tribunal
Principal Bench, New Delhi.**

O.A. No.3639/2019
M.A. No.4033/2019

New Delhi, this the 17th day of December, 2019

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Ms. Aradhana Johri, Member (A)**

1. Anu Arora, Aged about 39 years
   W/o Sh. Vishal Arora,
   R/o M-3, Vikas Apartment,
   West Enclave, Pitampura, Delhi.
   (Group 'B')
   (Astt. Programmer/DPA : Ad-hoc System Analyst)

2. Shiv Kumar, Aged about 37 years
   S/o Sh. Balvir Singh,
   R/o H.No. 333, Village Karkar Dooma,
   Delhi.
   (Group 'B')
   (Astt. Programmer/DPA : Ad-hoc System Analyst)

3. Sumit Sharma, Aged about 37 years
   S/o Sh. Indu Lal Sharma,
   R/o 36-C, LIG Flats, Ram Pura,
   Delhi-35.
   (Group 'B')
   (Astt. Programmer/DPA : Ad-hoc System Analyst)

.... Applicants

(By Advocate : Shri Ajesh Luthra)

Versus

1. Govt. of NCT of Delhi
   Through its Chief Secretary,

5th Floor, Delhi Sachivalaya,
New Delhi.

2. Information Technology Department
Through its Secretary
(GNCT of Delhi)
(Cadre Controlling Unit)
Level 9, B Wing, Delhi Secretariat,
New Delhi-110002.

3. Directorate of Training and Technical Education
Through its Secretary,
GNCT of Delhi,
Muni Mayaram Marg,
Pitampura, Delhi.

4. Department of Revenue
Through Divisional Commissioner
GNCT of Delhi
5 Sham Nath Marg, Delhi-54.

5. The Chief Election Officer,
Office of Chief Election Officer-Delhi
Old St. Stephen College Building,
Kashmere Gate, Delhi-110006.

.. Respondents

(By Advocate : Ms. Esha Mazumdar for R-1 to 4)

O R D E R (ORAL)

Justice L. Narasimha Reddy, Chairman

The applicants were appointed as Assistant Programmers in the Information Technology Department of Govt. of NCT of Delhi (GNCTD). The next higher post is the System Analyst. Through an order

dated 29.12.2017, the applicants and 26 others were promoted, on ad hoc basis, to the post of System Analyst. Recently, through an order No.44/2019, dated 09.12.2019, the respondents reverted the applicants and two others to the post of Assistant Programmer (now designated as Data Processing Assistant). This O.A. is filed challenging the order of reversion.

2.   The applicants contend that though the reversions were the result of the regular promotions, there is adequate workload in the Department, and they can be continued. It is also stated that some regular vacancies meant for ST candidates are left unfilled for want of eligible candidates, and that they can be continued against those vacancies.

3.   We heard Shri Ajesh Luthra, learned counsel for the applicants and Ms. Esha Mazumdar, learned counsel for respondents No.1 to 4, at the stage of admission.

4. The initial appointment of the applicants was to the post of Assistant Programmer. As many as 29 Assistant Programmers in Group 'B' were promoted on ad hoc basis, to the post of System Analyst, which is in Group 'A'. The respondents promoted 31 Assistant Programmers to the post of System Analyst on regular basis, through an order No.43/2009, dated 09.12.2019. That, naturally necessitated in reversion of some of the ad hoc promotes. The applicants and 2 others, who figured at the bottom of the order dated 29.12.2017, were reverted.

5. The applicants did not challenge the order of regular promotions. It is also not their case that any one, who are junior to them in the concerned category, were promoted. Naturally, they have to wait for their turn for regular promotion. In case, there is workload in the post of System Analyst, the case of the applicants needs to be considered.

6. We, therefore, dispose of the O.A., directing the respondents that if there exists any workload in the

post of System Analyst, the case of the applicants shall be considered for promotion on ad hoc basis. There shall be no order as to costs.

(Aradhana Johri)   **(Justice L. Narasimha Reddy)**
   Member (A)   **Chairman**

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