



**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI**

**O.A. No. 197/2022  
M.A. No. 205/2022**

**This the 28<sup>th</sup> day of January, 2022**

Through Video Conferencing

**Hon'ble Ms. Manjula Das, Chairman  
Hon'ble Mr. Mohd. Jamshed, Member (A)**

1. Association of Prasar Bharati Engineering Employees  
Through its President  
Sh. Hari Pratap Gautam,  
Engineering Assistant (B)  
Aged about 33 years  
S/o Sh. Lakhmi Chandra  
R/o D-11/12, Radio Colony,  
Kingsway Camp, Delhi – 110009
2. Sh. Mahesh Prasad, Engineering Assistant (B)  
Aged about 34 years  
S/o Sh. Ramashish Yadav  
R/o Flat D-3, Plot 7, Khasra No. 861  
Sant Nagar, Burari, Delhi – 110084
3. Sh. Piyush Kumar Mishra,  
Engineering Assistant (B)  
Aged about 32 years  
S/o Sh. Satish Chandra Mishra  
R/o C-3511, 4<sup>th</sup> Floor, Greenfields Colony,  
Faridabad, Haryana – 121010
4. Sh. Harsh Ojha, Engineering Assistant (B)  
Aged about 35 years  
S/o Sh. Kaushal Kant Ojha,  
R/o C-5/5, Radio Colony,  
Kingsway Camp, Delhi – 110009
5. Sh. Balkant Kumar, Engineering Assistant (B)  
Aged about 35 years



S/o Sh. Krishan Deo Yadav,  
R/o C-11/15, Radio Colony,  
Kingsway Camp,  
Delhi – 110009

6. Indramani Prasad, Engineering Assistant (B)  
Aged about 35 years  
S/o Sh. Thapai Mahto  
R/o C-7/9, Radio Colony,  
Kingsway Camp,  
Delhi – 110009
7. Chandra Bhooshan Singh,  
Engineering Assistant (B)  
Aged about 34 years  
S/o Sh. Surender Kumar Singh  
R/o Plot – 976, Sec-1,  
Vasundhra, Ghaziabad
8. Bhagwan Singh Meena,  
Engineering Assistant (B)  
Aged about 33 years  
S/o Sh. Karu Ram Meena  
R/o C-2/21, Radio Colony,  
Kingsway Camp, Delhi – 110009      ...Applicants

(By Advocate: Mr. M.K. Bhardwaj )

**Versus**

1. Union of India  
Through the Secretary  
Ministry of Information & Broadcasting  
6<sup>th</sup> Floor, Shastri Bhawan,  
New Delhi – 110001
2. Prasar Bharati Broadcasting Corporation,  
Through its Chief Executive Officer,  
Prasar Bharati House, Tower-C  
Copernicus Marg,  
Mandi House,  
New Delhi – 110001



3. Director General,  
All India Radio,  
Parliament Street, New Delhi
4. Director General,  
Doordarshan,  
Doordarshan Bhawan,  
Mandi House, New Delhi.

...Respondents

(By Advocates: Mr. Gyanendra Singh for R-1 and  
Ms. Vartika Sharma for R-3 & 4)

**ORDER (ORAL)**

**Hon'ble Ms. Manjula Das, Chairman**

**M.A. No. 205/2022 :**

The instant M.A has been filed by the applicants seeking to join together in a single O.A

For the reasons mentioned in the MA, the same is allowed and the applicants are permitted to join in a single OA.

**O.A. No. 197/2022 :**

2. This OA has been filed by the applicants under Section 19 of the Administrative Tribunals Act, 1985 seeking the following relief(s):-

*“(i) To direct the respondents to frame appropriate Recruitment Regulations for promotion of applicants from the post of*



*Engineering Assistant to Assistant Engineer by following the RR's notified by another Engineering Departments i.e., CPWD, MES, CCW, etc and promote the applicants to the post of Assistant Engineer from due date with all consequential benefits including arrears of pay.*

- (ii) to declare the action of respondents in not considering the applicants to the post of Assistant engineer as illegal and issue appropriate directions to consider their claim for promotion to the post of Assistant Engineer by following the same eligibility criteria as prescribed for promotion to the said post of AE by other Engineering Departments from due date with all consequential benefits.*
- (iii) To direct the respondents to consider the applicants claim for promotion to the post of Assistant and other higher posts from due date by holding year wise DPCs and grant all consequential benefits including arrears of pay.*
- (iv) To allow the OA with exemplary cost.*
- (v) May also pass any further order(s), direction(s) as be deemed just and proper to meet the ends of Justice:"*

3. Being aggrieved by the action of the respondents in not promoting the applicants as Assistant Engineer even after completing more than the requisite length of service as well as not framing the recruitment rules, the applicants have filed this OA seeking a direction to



the respondents to frame recruitment rules for promotion to the post of Assistant Engineer and to consider them for promotion, with all consequential benefits.

4. Mr. M.K. Bhardwaj, learned counsel for the applicants contended that the applicants have made detailed representations to the authorities on 18.08.2020 and 21.08.2020 followed by reminder dated 28.12.2021 in this behalf, which are pending decision till date.

5. Heard Mr. M.K. Bhardwaj, learned counsel for the applicants at the admission stage, and Mr. Gyanendra Singh & Ms. Vertika Sharma, learned counsel, who appeared on advance service on behalf of respondent No. 1 and respondent Nos. 3 & 4 respectively.

6. Learned counsel for the applicants submitted that the applicants would be satisfied if they are given an opportunity of being heard and the respondents are directed to consider and decide the aforesaid



reminder/representation dated 28.12.2021 in a time bound manner.

7. Both the learned counsel appearing on behalf of respondent Nos. 1, 3 and 4 have no objection if a direction is issued to them to decide the reminder/representation dated 28.12.2021 made by the applicants, within a prescribed timeframe.

8. In view of the foregoing and keeping in view the limited prayer made by the learned counsel for the applicants, as well as no objection from learned counsel for the respondents, we deem it fit and proper to direct the respondents to consider and decide the representation of the applicants dated 28.12.2021, after affording an opportunity of being heard to the applicants through the representative of the Association and finalise the issue by passing a reasoned and speaking order thereon, within a period of six months from the date of receipt of copy of this order. It is made clear that while passing the above order, merits of the case have not been dealt with.



9. The OA stands disposed of, with the above directions.

There shall be no order as to costs.

**(Mohd. Jamshed)**  
**Member (A)**

**(Manjula Das)**  
**Chairman**

*/Jyoti/Mbt/*