



CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH

O.A.NO.063/000543/2020
Decided on: 14.08.2020

HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)
HON'BLE MS. AJANTA DAYALAN, MEMBER (A)

Sumir Rai Bhalla son of Late Sh. K.R. Bhalla, aged 52 years, presently working as Assistant Technical Officer, Central Drugs Laboratory, CRI Campus, Kasauli, District Solan, H.P.173204.

... Applicant

(BY ADVOCATE : MR. D.R. SHARMA)

Versus

1. Union of India through the Secretary to Government of India, Ministry of Health & Family Welfare, Government of India, Nirman Bhawan, New Delhi-110001.
2. Director General of Health Services, Ministry of Health EPI Section, Nirman Bhawan, New Delhi-110001.
3. Director, Central Research Institute, Kasauli-173204.
4. Sh. Faggu Lal Vishnu Kumbhare, presently working as Assistant Technical Officer, Central Research Institute, Kasauli-173204.
5. Union Public Service Commission through its Secretary, Shahjahan Road, Dholpur House, New Delhi-110001.

.... Respondents



O R D E R (ORAL)
HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)

The applicant has filed this Original application challenging the validity of the letter dated 20.4.2020 (Annexure A-2) relating to forwarding of representation of the applicant for filling up of posts of Deputy Assistant Director (Non-Medical) by way of promotion by resorting to reservation in promotion which according to him is contrary to various judicial pronouncements including **M. NAGARAJ VS. UNION OF INDIA & OTHERS**, (2006) 8 SCC 212.

2. On going through the pleadings and hearing the learned counsel, we find that indicated letter is a communication from Director, Central Research Institute, Kasauli, to the Director General of Health Services, Nirman Bhawan, New Delhi, containing comments of the former on the representation of the applicant on reservation in promotion qua posts of Deputy Assistant Director (NM), against 33-1/3% quota and no order prejudicial to the right of the applicant has yet been passed.

3. In view of the above, this O.A. is found to be pre-mature at this stage and is dismissed as such, with liberty to the applicant to exhaust the departmental



remedies in the first instance by representing his grievance to the relevant authorities who are free to take a view on the same.

**(SANJEEV KAUSHIK)
MEMBER (J)**

**(AJANTA DAYALAN)
MEMBER (A)**

Place: Chandigarh
Dated: 14.08.2020

HC*