



**CENTRAL ADMINISTRATIVE TRIBUNAL  
CHANDIGARH BENCH**

**Hearing by Video Conferencing**

**O.A. No.060/691/2021**

Chandigarh, this the 8<sup>th</sup> day of July, 2021

**HON'BLE SH. SURESH KUMAR MONGA, MEMBER (J)**

(On video conference from Central Administrative Tribunal,  
Chandigarh Bench, Chandigarh)

**HON'BLE SH. RAKESH KUMAR GUPTA, MEMBER (A)**

(On video conference from Central Administrative Tribunal,  
Bangalore Bench, Bangalore)

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1. Manoj Kumar, Aged 42 years S/o Sh. Murli Dhar, working as Mali, Group 'D' Post Graduate Government College of Girls, Sector 42, Chandigarh.
2. Deepak Sundriyan, Aged 47 years S/o Sh. Hari Ballabh, working as Peon, Group 'D', Government Home Science College, Sector 10, Chandigarh.
3. Jaimal Singh, Aged 44 years S/o Sh. Inder Singh, working as Mali, Group 'D' Post Graduate Government College of Girls, Sector 42, Chandigarh.
4. Rajinder singh, Aged 53 years, S/o Sh. Mewa Singh, working as Chowkidar, Group 'D', Government Home Science College, Sector 10, Chandigarh.
5. Hari Ram, Aged 45 years S/o Sh. Hirdya Ram, Post Graduate Government College of Girls, Sector 42, Chandigarh.
6. Balwinder Singh, Aged 48 years S/o Sh. Rakha Singh, working as Beldar, Post Graduate Government College of Girls, Sector 11, Chandigarh.
7. Khushi Ram, Aged 51 years S/o Sh. Bhaj Ram, Government Home Science College, Sector 10, Chandigarh.

**....Applicants**

(BY: Sh. R.K. Sharma, Advocate)



### **Versus**

1. Union Territory, Chandigarh through Advisor to Administrator, Sector-9, Chandigarh-160002.
2. Education Secretary, Union Territory, Chandigarh Administration, U.T. Secretariat, Sector 9, Chandigarh-160017.
3. Director Higher Education, U.T. Chandigarh, Additional Deluxe Building, Sector 9, Chandigarh.

**... Respondents**

### **O R D E R(Oral)**

**Per: SURESH KUMAR MONGA, MEMBER (J):**

1. The present Original Application has been filed by the applicants under Section 19 of the Administrative Tribunals Act, 1985 making therein the following prayer:-

"i) *Issue directions to the respondents to consider the applicants for promotion from their present Group 'D' post to Senior Laboratory Attendant in terms of Chandigarh Education Department (College Cadre) (Miscellaneous Categories) Group 'C' Recruitment Rules, 2019 notified on 6<sup>th</sup> January, 2020 as amended vide amendment dated 1<sup>st</sup> October, 2020, against 25% promotion quota meant for Group 'D' employees with effect from due date with all consequential benefits.*"

2. Sh. R.K. Sharma, learned counsel for the applicants submitted that the applicants are members of UT Class IV Employees Union and in order to pursue their cause, a representation was given by the Union to Education Secretary, Chandigarh Administration, Chandigarh on



23.11.2020 (Annexure A-3). However, on the said representation, no decision has been taken by the respondents uptil now.

3. Learned counsel further submitted that the applicants will be satisfied if the present Original Application is disposed of with a direction to the Education Secretary, Chandigarh Administration, Chandigarh to decide the aforesaid representation within a time frame.

4. Keeping in view the aforesaid limited prayer made by learned counsel for the applicants, we deem it appropriate to dispose of the present Original Application, at the admission stage itself, without entering into the merits of the case.

5. Accordingly, the Original Application is disposed of with a direction to the Education Secretary, Chandigarh Administration, Chandigarh to decide the representation dated 23.11.2020 (Annexure A-3) submitted by the applicants' Union and pass a reasoned and speaking order in accordance with law. Before taking such a decision, the applicants shall also be afforded an opportunity of hearing. The whole exercise shall be undertaken within a period of two months from the date of receipt of a certified copy of this order.



6. Ordered accordingly. However, there shall be no orders so as to costs.

**(RAKESH KUMAR GUPTA)**  
**MEMBER (A)**

**(SURESH KUMAR MONGA)**  
**MEMBER (J)**

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