

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

ORIGINAL APPLICATION NO.060/284/2021

DATED THIS THE 12TH DAY OF MARCH, 2021

CORAM:

HON'BLE SHRI SURESH KUMAR MONGA, MEMBER (J)

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

HON'BLE SHRI RAKESH KUMAR GUPTA, MEMBER (A)

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

1. Shri Amritjit Singh
S/o Sh. Ujjagar Singh,
Aged 41 years,
Presently working as Bus Conductor, (C-338)

2. Shri Rinku Sharma
S/o Sh. Ishwar Chand,
Presently working as Bus Conductor, (C-261)

3. Shri Sukhchain Singh
S/o Sh. Balwant Singh,
Presently working as Bus Conductor, (C-806)

4. Shri Yadvinder Singh
S/o Sh. Kaka Sing,
Presently working as Bus Conductor, (C-741)

All the applicants are working in the office of Divisional Manager,
Chandigarh Transport Undertaking, U.T., Chandigarh, Plot No. 701,
Industrial Area, Phase I, U.T., Chandigarh 160 002
(All the applicants are Group-C)

....Applicants

(By Advocate Shri K.B. Sharma – through video conference)

Vs.

1. Union of India
Through its Secretary to Government of India,
Ministry of Home Affairs, North Block,
New Delhi 110 001

2. Union Territory Administration,
Through Secretary Transport,
U.T. Chandigarh, Sector – 9,
Chandigarh 160 009

3. The Director Transport,
Chandigarh Transport Undertaking,
Sector-9, Chandigarh 160 009

4. Divisional Manager,
Chandigarh Transport Undertaking,
U.T., Chandigarh, Plot No. 701,
Industrial Area, Phase I,
U.T. Chandigarh 160 002

.....Respondents

ORDER (ORAL)

PER: SURESH KUMAR MONGA, MEMBER (J)

The present Original Application has been filed by the applicants under Section 19 of the Administrative Tribunals Act, 1985 seeking therein a direction to respondents to consider their cases for promotion to the post of Inspector by providing 4% reservation in terms of Section 34 of the Rights of Persons with Disabilities Act, 2016 and the instructions dated 03.10.2019 issued by the Government of Punjab, whereby the benefit of a judgment of the Hon'ble Supreme Court in Siddaraju Vs. State of Karnataka, Civil Appeal No. 1567/2017 decided on 14.01.2020, has been extended.

2. The applicants have also made an alternate prayer for issuance of a direction to respondents to consider the pending legal notice dated 17.12.2020 and decide the matter by way of passing a reasoned and speaking order within a timeframe.

3. Shri K.B. Sharma, learned counsel for the applicants, at the very

outset, submitted that the applicants will be satisfied if the alternative prayer made in the Original Application is allowed and a direction is issued to respondents to decide their pending legal notice dated 17.12.2020.

4. Keeping in view the aforestated 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 respondents to consider the applicants' legal notice dated 17.12.2020 as their representation and decide the same by way of passing 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.

7. There shall be no orders so as to costs.

(RAKESH KUMAR GUPTA)
MEMBER (A)

(SURESH KUMAR MONGA)
MEMBER (J)

/ksk/