



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

**O.A. No. 2471/2016**

**This the 11<sup>th</sup> Day of August, 2021**

(Through Video Conferencing)

**Hon'ble Mr. R.N. Singh, Member (J)  
Hon'ble Mr. Mohd. Jamshed, Member (A)**

1. Bhupendra Rawat, Age-39+ years,  
S/o Late Sh. Gajpal Singh,  
R/o-704/Sec-8, R.K. Puram,  
New Delhi-22
2. Sunil Kumar, Age-40+years,  
S/o Late Sh. Hari Singh,  
R/o-283/A, Lado Sarai,  
New Delhi.
3. Devender Singh, Age-39+ years,  
S/o Sh. Sunehri Lal,  
R/o-F-II/197, Madan Gir,  
New Delhi-62
4. Girdhar Singh, Age-44+ Years,  
S/o Sh. Man Singh Martolia,  
R/o-299/3, Andrews Gunj  
New Delhi-49
5. Manoj Kumar, Age-37+ years,  
S/o Sh. Sita Rm,  
R/o-110, Village-Molar Band,  
Badarpur, New Delhi-44
6. Sanjeev Kumar Kalyan, Age-45 years,  
S/o Sh. Sukhbir Singh,  
R/o-1/4233 Ram Nagar Ext.,  
Loni Raod, Shahdara, New Delhi-32
7. Narender Singh, Age-49+ years,  
S/o Late Sh. Gajpal Singh,  
R/o-1203, Laxmi Bai Nagar,  
New Delhi-23

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8. Ms. Pratima, Age-34+ years,  
W/o Mr. Neeraj Kumar,  
R/o-I-5/19, Gd. Floor,  
Sector-16, Rohini, Delhi-110 089

... Applicants

(By Advocate : Shri Sachin Chauhan)

### **Versus**

1. Union of India, through  
The Secretary,  
Ministry of Health and Family Welfare,  
Nirman Bhawan, New Delhi – 110001
2. The Director,  
Central Govt. Health Scheme (CGHS),  
Nirman Bhawan, Delhi – 110011
3. The Additional Director (HQ),  
C.G.H.S.,  
Sector – 12, R.K. Puram,  
New Delhi.

... Respondents

(By Advocate : Shri G.S. Virk)



## O R D E R (ORAL)

**Hon'ble Mr. R.N. Singh, Member (J) :**

The applicants have approached this Tribunal by way of the present Original Application filed under Section 19 of the Administrative Tribunals Act, 1985, praying for the following reliefs:-

*“8.1 To direct the respondents to filling up the vacancy reserved in the grade of LDC through LDCE (Limited Departmental Competitive Vacancies) among the eligible Group D' employees be calculated on the basis of Model RRs of LDC issued by DoPT and further the applicants be declared successful in the LDCE (Limited Departmental Competitive Vacancies) conducted on 09.01.2016 and further be considered for promotion on preferential basis in respect of future vacancies to be fallen vacant to be filled up through Limited Departmental Competitive Examination with all consequential benefits including seniority & promotion and pay & allowances.*

*8.2 To direct the respondents to amend the RRs in line with the Model RRs to the post of LDC being circulated by the Cadre Controlling Ministry for LDCs i.e. DoPT causes great prejudice to the applicants as in the Model RRs 10% of the vacancies are being granted for LDCE (Limited Departmental Competitive Examination) for Group 'D' employee.*

*Or/and*

*i) Any other relief which this Hon'ble Court deems fit and proper may also awarded to the applicant.”*



2. Pursuant to notice from this Tribunal, the respondents have filed their reply and the applicants have also filed their rejoinder.
3. At the outset, learned counsels for the parties submit that during the pendency of the OA, the applicants' prayer in para 8.2 above has already been granted by the respondents.
4. Learned counsel for the applicants Shri Chauhan submits that keeping in view the grant of the relief as sought in para 8.2 of the OA, the respondents were required to consider the claim of the applicants as made in para 8.1 also. In this regard as well, the applicants have submitted their individual representations (Annexure A/1 Colly) which are still pending consideration of the respondents. He further adds that the applicants' claim in para 8.1 of the OA is further substantiated in view of a note of amended Recruitment Rules.
5. In view of the aforesaid, with the consent of learned counsels for the parties, without going into the merit of the claim of the applicants, the present OA is disposed of with direction to the respondents to consider the claim of the applicants as raised in their aforesaid pending



representations (Annexure A/1 Colly) and to dispose of the same by passing a reasoned and speaking order as expeditiously as possible and in any case within eight weeks of receipt of a copy of this Order.

6. The OA is disposed of in the aforesaid terms. No costs.

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

**(R.N. Singh)**  
**Member (J)**

/ravi/akshaya/