

CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH, CHANDIGARH

S/2. O.A No. 060/00692/2014

(Umesh Kumar Vs. U.O.I)

14.08.2014

Present: Sh. Namit Kumar, counsel for the applicant.

1. Heard.
2. Inter-alia, contends that action of the respondents in not considering the application of the applicant against various post advertised by the respondents on 04.08.2014, on the account that he has crossed upper age limit is illegal and arbitrary against the respondents own instructions.
3. He submitted that the application is to be given weightage for the period when he worked with respondents-department on the same very post on contract basis. The applicant joined the respondents-department as Tuberculosis Health Visitor on 13.10.2013 in terms of the appointment letter dated 06.10.2003 on contract basis and is having sufficient experience on the said post. Therefore, considering this fact that he is continuing with respondent-department for more than 11 years, his claim cannot be turned down on the ground that he has crossed the upper age limit. He placed reliance upon the instructions issued by the nodal Ministry i.e. DoPT, copy annexed as Annexure A-10 where if departmental candidate working continuously for three years with the department, has to be given relaxation upto 40 years of age. He prayed that respondents be directed to accept the applicant's application and consider his claim against the advertised post. In this regard he placed reliance upon the judgment of jurisdictional High Court in case of **Chandigarh**

CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH, CHANDIGARH

Administration, Chandigarh Vs. Central Administrative Tribunal, Chandigarh Bench-2011 (4) SLR 754 wherein

instruction dated 28.04.2005 of the U.T was considered. He submitted that despite his best effort, he unable to lay his hand on the above instruction.

4. Issue notice to the respondents returnable for 11.09.2014.
5. Considering that the candidate is to submit the application via online mode where system does not accept the applications which are not within the criteria feed there. Therefore, we direct the respondents if the applicant submits the application then same be entertained and his candidature be consider against the post subject to the other suitability which shall be subject to the outcome of the O.A.

6. Dasti.

Ue

(UDAY KUMAR VARMA)
MEMBER (A)

Sanjeev

(SANJEEV KAUSHIK)
MEMBER (J)

'jk'

1- Dasti notice issued
on 14/8/14, service report
attached please

msj

JAGDISH PARSAD

3

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH,
CHANDIGARH .**

3.O.A. No.060/00692/2014

(UMESH KUMAR VS. UOI)

11.09.2014

Present: Mr. Namit Kumar, counsel for the applicant.
Mr. P.M.Kansal, proxy for Mr. Rakesh Verma,
counsel for the respondents.

1. Learned proxy counsel for the respondents seeks and is allowed four weeks time to file written statement with a copy in advance to the counsel for the applicant, who may file rejoinder thereto, if any, within a period of two weeks thereafter.
2. List on 29.10.2014.

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**(RAJWANT SANDHU)
MEMBER (A)**

L

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

'sv'

*1- w/s not filed
please
vmp*

SAGDISH PARSAD

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH,
CHANDIGARH.**


7.O.A. No.060/00692/2014

(UMESH KUMAR VS. UOI)

29.10.2014

Present: Mr. Sandeep Siwatch, proxy for Mr. Námit Kumar, counsel for the applicant.
Mr. K.B. Sharma, proxy for Mr. Rakesh Verma, counsel for the respondents.

1. Learned proxy counsel for the respondents seeks and is allowed further two weeks time to file written statement in the matter.
2. List on 17.11.2014.


(DR. BRAHM A. AGRAWAL)
MEMBER (J)


(RAJWANT SANDHU)
MEMBER (A)

'sv'

1- W/S not filled
please
imply
JAGDISH PARSAD

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH,
CHANDIGARH.**


9.O.A. No.060/00692/2014

(UMESH KUMAR VS. UOI)

17.11.2014

Present: None for the applicant.
Mr. Rohit Mittal, proxy for Mr. Rakesh Verma,
counsel for the respondents.

1. Learned proxy counsel for the respondents seeks and is allowed two weeks more time to file written statement in the matter, with a copy in advance to the counsel for the applicant, who may file rejoinder thereto, if any, within a period of two weeks thereafter.
2. List on 15.12.2014.


(DR. BRAHM A. AGRAWAL)
MEMBER (J)


(UDAY KUMAR VARMA)
MEMBER (A)

'sv'

*1- was not filed
please
info*

JAGDISH PARSAD

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH ,
CHANDIGARH .**

6

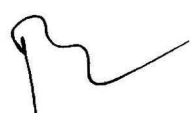
6.O.A. No.060/00692/2014

(UMESH KUMAR VS. UOI)

15.12.2014

Present: Mr. Suresh Verma, proxy for Mr. Namit Kumar, counsel for the applicant.
Mr. Arvind Moudgil, proxy for Mr. Rakesh Verma, counsel for the respondents.

1. Learned proxy counsel for the respondents seeks and is allowed two weeks time to file written statement in the matter, with a copy in advance to the counsel for the applicant who may file rejoinder thereto, if any, within a period of two weeks thereafter.
2. List on 30.01.2015 before the Registrar for completion of pleadings.



**(DR. BRAHM A. AGRAWAL)
MEMBER (J)**



**(RAJWANT SANDHU)
MEMBER (A)**

'SV'
1-10/12/2014
please
copy -

JAGDISH PARSAD

10. OA No. 060/00692/14

30.01.2015

Present:- Sh. R.P. Singh, proxy counsel
for the applicant.
Sh. Rohit Mittal, proxy
counsel for the respondents.

Learned proxy counsel for the
respondents seeks and is granted two
weeks further time for filing reply.

List on 20.02.2015.


REGISTRAR
30/1/15

'rishi'

1- wls not filed
please
info
JAGDISH PARSAD

07. OA No. 060/00692/14

20.02.2015

Present:- Sh. Namit Kumar, counsel for
the applicant.
Sh. Rakesh Verma, counsel
for the respondents.

Learned counsel for the
respondents seeks and is granted three
days further time for filing reply.

List on 23.02.2015.

'rishi'


REGISTRAR
20/2/15

1-w/s not filed
w/ps
Pheare

9

S/1. OA No. 060/00692/14

23.02.2015

Present:- None for the applicant.
Sh. Rakesh Verma, counsel
for the respondents.

Learned counsel for the
respondents states that reply would
be filed during the course of the day
in the Registry.

Rejoinder, if any, be filed by the
next date of hearing.

List on 04.03.2015.

'rishi'

Bander
REGISTRAR
23/2/15

1- WIS filled R-3 only
please
2- Rejoinder not filled
please
cmf

JAGDISH PARSAD

16
08. OA No. 060/00692/14

04.03.2015

Present:- Sh. Sandeep Kumar, proxy
counsel for the applicant.
Sh. Rohit Mittal, proxy
counsel for respondents
no. 1 to 3.
None for respondent no.4.

Reply on behalf of respondent
no. 3 has been filed and is record.

Learned proxy counsel for
respondents no. 1 to 3 states that he
adopts the reply of respondent no. 3
for respondents no. 1 & 2.

Rejoinder to the reply on behalf
of respondents no. 1 to 3 be filed by
the next date of hearing.

Reply, if any, on behalf of
respondent no. 4 be also filed by the
next date of hearing.

List on 18.03.2015.

Banerjee
REGISTRAR
4/3/15

'rishi'

1- WIS was A-4 not
filed/phen
2- Pygubakar was A-3
also not filed/phen
info

JAGDISH PARSAD

05. OA No. 060/00692/14

18.03.2015

Present:- Sh. Ravinder Pal Singh,
proxy counsel for the
applicant.
Sh. Rohit Mittal, proxy
counsel for respondents
no. 1 to 3.
None or respondent no.4.

Learned proxy counsel for the
applicant states that rejoinder to
the reply filed on behalf of
respondents no. 1 to 3 would be filed
during the course of the day in
the Registry.

Last opportunity is granted to
respondent no. 4 for filing reply, if
any.

List on 25.03.2015.

Randey
REGISTRAR

18/3/15

'rishi'

1. Ryavinder Singh & A/S
Filed please
2. W/S P/S A-4 not
Filed please
Un/ps
JADISH DARGA

02. **OA No. 060/00692/2014**

25.03.2015

Present:- Sh. Namit Kumar, counsel
for the applicant.
Sh. Rohit Mittal, proxy
counsel for the
respondents.

Rejoinder to reply filed on behalf
of respondents no. 1 & 3 has been
filed and is on record.

Despite several opportunities,
no written statement has been filed by
respondent no. 4 till date.

Pleadings are deemed to be
complete.

List before the Hon'ble Bench for
appropriate orders/direction on
01.04.2015.

'Jk'


REGISTRAR
25/3/15

CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH

3. O.A. No.060/00692/2014

(UMESH KUMAR VS. UOI & ORS.)

01.04.2015

Present: Sh. Namit Kumar, counsel for the applicant.
Sh. Rohit Mittal, proxy for Sh. Rakesh Verma, counsel for the respondents.

1. Learned counsel for the applicant states that in view of letter dated 27.12.2014 regarding relaxation in age for considering the candidature for the post of Multipurpose Health Worker (Male), who have worked in NHM, U.T. Chandigarh on direct contract basis (Annexure R-1), this O.A. has been rendered infructuous and may be disposed of as such.
2. Ordered accordingly.


(RAJWANT SANDHU)
MEMBER (A)

'KR'