

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

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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.**

Ke  
(UDAY KUMAR VARMA)  
MEMBER (A)

'jk'

Sanst  
(SANJEEV KAUSHIK)  
MEMBER (J)

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

JKS

JAGDISH PARSAD

3

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

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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.

*Ms — .*

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

*L*

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

'sv'

*1-w/s not replied  
please  
wms*

**RAODISH PARSAD**

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

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

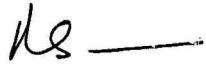
**(UMESH KUMAR VS. UOI)**

**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- wls nat/7/14  
please  
m/s  
JAGDISH PARSAD

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

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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) (UDAY KUMAR VARMA)**  
**MEMBER (J) MEMBER (A)**

'sv'

*is-ws not-pkly  
please  
m/s*

**JAGDISH PARSAD**

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

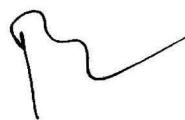
6.O.A. No.060/00692/2014

**(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'

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phew  
unp -*

*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**

'rishi'

1-will not be in  
place  
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JAGDISH PARSAD

*Bande*  
30/1/15

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.

REGISTRAR

'rishi'

*Rander*  
20/2/15

1-w/s not paid  
please  
w/s

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.

*Rander*  
**REGISTRAR**  
*rishi'*  
*23/2/15*

- 1- WIS filed R-3 only  
please
- 2- Rejoinder not replied  
please

*JAGDISH PARSA*

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.

*Ramdev*  
REGISTRAR  
4/3/15

'rishi'

1- WLS kas 2-4 mal  
pulid phuse  
2- Payambar kas 2-3  
also 2nd pulid  
phuse  
Under

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.

*Ravinder*  
**REGISTRAR**

18/3/15

'rishi'

1- Rejoinder on 3/4/15  
Filed please

2- WLS PCC 2-4/15  
Filed please

Ump

JAS DISH PARFAR

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.

*Ranchar*  
**REGISTRAR**  
*25/3/15*

'jk'

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.

*AS*

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

'KR'