

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CHANDIGARH BENCH  
CHANDIGARH**

**O.A. No.060/00760/2014**

**Decided on: 02.09.2014**

**Coram: Hon'ble Mr. Sanjeev Kaushik, Member (J)  
Hon'ble Mr. Uday Kumar Varma, Member (A)**

Ajain Singh Negi, Superintendent Grade-II, Post Graduate Government College, Sector 46, Chandigarh resident of House No. 3009, Sector 23-D, Chandigarh.

**.....Applicant**

**Versus**

1. Union Territory, Chandigarh Administration through its Secretary, Department of Education, U.T. Civil Secretariat, Sector 9-D, Chandigarh.
2. Director, Higher Education, Chandigarh Administration, U.T. Civil Secretariat, Sector 9, Chandigarh.

**.....Respondents**

**Present: Mr. N.P. Mittal, counsel for the applicant**

**Order (Oral)**

**By Hon'ble Mr. Sanjeev Kaushik, Member(J)**

1. The present O.A. has been filed by the applicant for issuance of a direction to the respondents to consider his case for promotion to the post of Administrative Officer fallen vacant w.e.f. 30.09.2013. An alternative prayer has also been made in the O.A. to dispose of the O.A. with a direction to the respondents to consider the representations

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dated 18.11.2013 and 22.08.2014 (Annexure A-3 and A-4), which are still pending, filed by the applicant wherein he had requested the respondents to consider his case for promotion. He further submits that the applicant is senior-most in the feeder cadre of Superintendent Grade-II.


2. On the commencement of hearing, learned counsel for the applicant very fairly submitted that the O.A. may be disposed of with a direction to the respondents to decide his representations (Annexure A-3 and A-4) in a time-bound manner.


3. In view of the limited prayer of the applicant and for the order we propose to pass, there is no need to issue notice to the respondents and call for their reply. Moreover, the respondents have not yet taken a view on the representations, which they are bound to do as per the Section 20 of the Administrative Tribunals Act, 1985, therefore, no prejudice would be caused to them by non-issuance of notice and in any case a litigant is expected to firstly avail the departmental remedy and only then approach this Tribunal.

4. Accordingly, the O.A. is disposed of, without going into the merits of the case, with a direction to the respondents to consider the

representations (Annexures A-2 and A-3) and take a view in accordance with law, within two months from the date of receipt of a copy of the order. The order so passed be communicated to the applicant. Needless to say that we have not expressed any opinion on the merits of the case.

5. No costs.

  
(UDAY KUMAR VARMA)  
MEMBER (A)

  
(SANJEEV KAUSHIK)  
MEMBER (J)

PLACE: Chandigarh

Dated: 02.09.2014

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