

33

CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH

OA No. 060/00362/2014

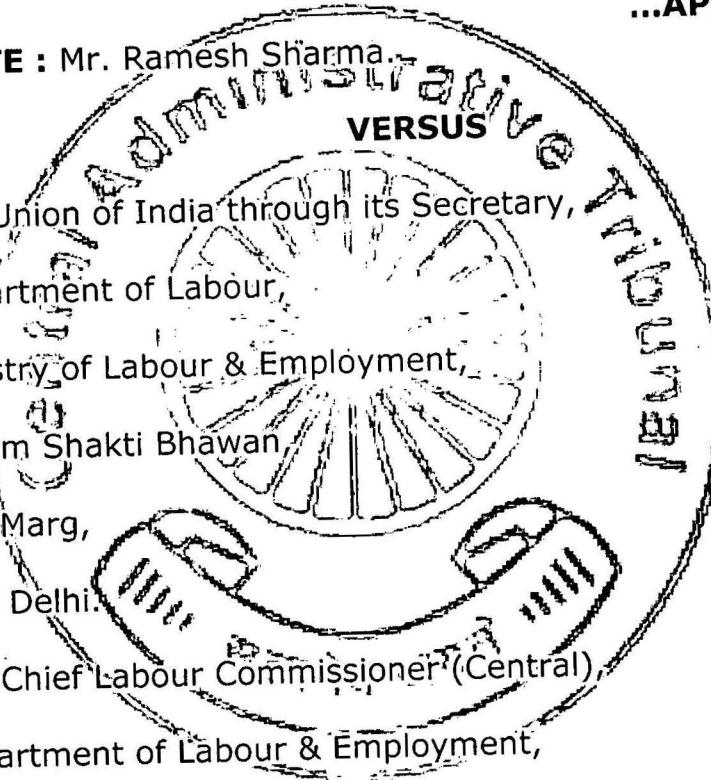
Date of decision- 11.04.2016

CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)
HON'BLE MR. UDAY KUMAR VARMA, MEMBER (A)

Manmohan son of Sh. R.C. Khajuria, aged about 54 years, presently working as Upper Division Clerk (UDC) in the O/o Deputy Chief Labour Commissioner (Central), Kendriya Sadan, Sector 9A, Chandigarh and resident of House No. 1197 A, Sector 46 B, Chandigarh.

...APPLICANT

BY ADVOCATE : Mr. Ramesh Sharma



The logo of the Central Administrative Tribunal Chandigarh Bench is circular. The outer ring contains the text "CENTRAL ADMINISTRATIVE TRIBUNAL" at the top and "CHANDIGARH BENCH" at the bottom. The inner circle features a central emblem with a scale of justice, surrounded by the words "VERSUS" and "ADMINISTRATIVE TRIBUNAL". Below the emblem, the text "Shram Shakti Bhawan" is written, with "Rafi Marg" and "New Delhi" written above and below it respectively.

1. The Union of India through its Secretary, Department of Labour, Ministry of Labour & Employment, Shram Shakti Bhawan, Rafi Marg, New Delhi.
2. The Chief Labour Commissioner (Central), Department of Labour & Employment, Shram Shakti Bhawan, Rafi Marg, New Delhi.
3. The Deputy Chief Labour Commissioner, Kendriya Sadan, Sector 9 A, Chandigarh.
4. Sh. Zahur Mulla, presently posted as Office Superintendent in the O/o Deputy Chief Labour Commissioner (C), Shram

Sadan, 3rd Main, 3rd Cross, II Phase, Yeswanthpur, Bangalore (Karnataka).

5. Sh. Subodh Kumar Soren, presently posted as Office Superintendent O/o Deputy Chief Labour Commissioner (C), Bungalow No. 5, Doctor's Colony, Jagjiwan Nagar, Dhanbad-826003.
6. Sh. Mohan Kumar PV, Presently posted as Office Superintendent in the O/o Deputy Chief Labour Commissioner (C), No. 26, IIIrd Block, 5th Floor, Shastri Bhawan, Haddows Road, Nungambakkam, Chennai-600006 (Tamil Nadu).
7. Sh. Srimanta Gupta, presently posted as UDC, O/o Deputy Chief Labour Commissioner (C), Rajgarh Road, Chanmari, Guwahati-781003.
8. Sh. G.K. Sachdeva Gupta, presently posted as UDC, O/o Deputy Chief Labour Commissioner (C), CPIO 4th Floor, Jeewan Deep Building Parliament Street, New Delhi.
9. Sh. S.K. Laskar, presently posted as UDC O/o Deputy Chief Labour Commissioner (C), 19/1, Apcargarden, Asansol-04.
10. Sh. Meera Kumari presently posted as UDC, O/o Deputy Chief Labour Commissioner (C), CPIO 4th Floor, Jeewan Deep Building Parliament Street, New Delhi.
11. Smt. K.C. Chandru, presently posted as UDC, O/o Deputy Chief Labour Commissioner (C), Kendriya Shram Sadan, Oolimughal, Kakanad, Cochin.
12. Smt. Premalatha Raghavan, presently posted as UDC, O/o Deputy Chief Labour Commissioner (C), Shram Sadan, 3rd Main, 3rd Cross, II Phase, Yeswanthpur, Bangalore (Karnataka).

13. Sh. B. Rajaram, presently posted as UDC, O/o Deputy Chief Labour Commissioner (C), ATI Campus, Vidyanagar, Hyderabad-500007.
14. Sh. R.R. Jharia, presently posted as UDC, O/o Deputy Chief Labour Commissioner (C), Block No. 10,Civic Centre, Marhatal, Jabalpur.
15. Sh. D. Kashyap, presently posted as UDC O/o Deputy Chief Labour Commissioner (C), Rajgarh Road, Chanmari, Guwahati-781003.
16. Mrs. Uttara Das, presently posted as UDC, O/o Deputy Chief Labour Commissioner (C), Rajgarh Road, Chanmari, Guwahati, 781003.
17. Sh. Satish Chandra, presently posted as UDC, O/o Deputy Chief Labour Commissioner (C), 59-C, Tyagi Road, Dehradun.
18. Sh. Satvinder Singh, presently posted as UDC, O/o Deputy Chief Labour Commissioner (C), Kendriya Sadan, Sector -9 A, Chandigarh.
19. Sh. Babu George Mampilly, presently posted as UDC, O/o Deputy Chief Labour Commissioner (C), Kendriya Shram, Sadan, Oolimughal, Kakanad, Cochin.
20. Sh. Thakur Chand, presently posted as UDC, O/o Deputy Chief Labour Commissioner (C), Kendriya Sadan, Sector 9-A, Chandigarh.
21. Sh. Ashok Mittal, presently posted as UDC, O/o Deputy Chief Labour Commissioner (C), Kendriya Shram Sadan, Haribhau Upadhayay Nagar (Ext.) Pushkar, Road, Ajmer-302005 (Rajasthan).

22. Sh. Baddal Kanaage, presently posted as UDC, O/o Deputy Chief Labour Commissioner (C), New Mental Complex, Block No. 0-14, Maghani Nagar, Asalva Road, Ahmedabad-380016 (Gujrat).
23. Smt. Ashwini Desai, presently posted as UDC, O/o Deputy Chief Labour Commissioner (C), Shram Raksha Bhawan, 1st Floor, Opp. Priyadarshini, Shiv Shrushti Road, Eastern Express Highway, Sion, Mumbai-400022.
24. Smt. Sunita, presently posted as UDC, O/o Deputy Chief Labour Commissioner (C), Kendriya Sadan, Sector 9-A, Chandigarh.
25. Sh. Mohan Lal, presently posted as UDC, O/o Deputy Chief Labour Commissioner (C), L- 7, Sector 1, (Extn.), Avanti Vihar, Raipur (Chattisgarh)-492006.
26. Sh. P.K. Dhar, presently posted as UDC, O/o Deputy Chief Labour Commissioner (C), Kendriya Sadan, Sector 9-A, Chandigarh.
27. Smt. Laly John, presently posted as UDC, O/o Deputy Chief Labour Commissioner (C), Kendriya Shram Sadan, Oolimughal, Kakanad, Cochin.
28. Smt. Aparna Banik, presently posted as UDC, O/o Deputy Chief Labour Commissioner (C), 2nd M.S. Building, 5th Floor Nizam Palace, 234/4, AJC Bose Road, Kolkata-700020.
29. Sh. T.K. Balaji, presently posted as UDC, O/o Deputy Chief Labour Commissioner (C), Shram Sadan, 3rd Main, 3rd Cross, II phase, Yeswanthpur, Bangalore (Karnataka).

5/27

30. Smt. B. Rupa, presently posted as UDC, O/o Deputy Chief Labour Commissioner (C), Shram Sadan, 3d Main, 3rd Cross, II Phase, Yewanthpur, Bangalore (Karnataka).
31. Sh. D.S. Mahetkar, presently posted as UDC, O/o Deputy Chief Labour Commissioner (C), 1st Floor, Block-C, CGO Complex, Seminary Hills, Nagpur-440006.
32. Smt. Kamalini Das, presently posted as UDC, O/o Deputy Chief Labour Commissioner (C), Rajgarh Road, Chanmari, Guwahati-781003.
33. Sh. Bhola Ram, presently posted as UDC, O/o Deputy Chief Labour Commissioner (C), Bungalow No. 5, Doctor's Colony, Jagjiwan Nagar, Dhanbad-826003.
34. Sh. U.N. Tripathy, presently posted as UDC, O/o Deputy Chief Labour Commissioner (C), Bungalow No. 5, Doctor's Colony, Jagjiwan Nagar, Dhanbad-826003.
35. Sh. Sanjay Dhawan, presently posted as UDC, Bungalow No. 5, Doctor's Colony, Jagjiwan Nagar, Dhanbad-826003, CPIO 4TH Floor, Jeewan Deep Building Parliament Street, New Delhi.
36. Sh. Aarti H. Bagwi, presently posted as UDC, Bungalow No. 5, Doctor's Colony, Jagjiwan Nagar, Dhanbad-826003, Shram Raksha Bhawan, 1st Floor, Opp. Priyadarshini, Shiv Shrushti Road, Eastern Express Highway, Sion, Mumbai-4000022.
37. Sh. P.N. Chawan, presently posted as UDC, Bungalow No. 5, Doctor's Colony, Jagjiwan Nagar, Dhanbad-826003, Shram Raksha Bhawan, 1st Floor, Opp. Priyadarshini, Shiv Shrushti Road, Eastern Express Highway, Sion, Mumabi-4000022.

...RESPONDENTS

BY ADVOCATE: Sh. V.K. Arya, counsel for respondent no. 1 to 3.
Respondent no. 7, 15, 16 & 32 Ex parte.

ORDER (ORAL)**HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J):-**

1. Challenge in this O.A is to the seniority list dated 07.02.2014 (Annexure A-23).
2. After arguing for some time, Sh. V.K. Arya, counsel for respondents no. 1 to 3 made a statement, on instruction from Sh. Thakur Chand, O.S, O/o C.L.C., Chandigarh that the authorities will consider the case of the applicant for promotion to the post of OS as per the policy on the subject and he can be posted in his region or out of region as per the seniority list.
3. Learned counsel for the applicant prayed that he may be permitted to withdraw the instant O.A enabling the applicant to move a representation to the concerned quarter on an averment made by counsel for the respondents no. 1 to 3, on an instruction from Sh. Thakur Chand, O.S, and the respondents may be directed to consider the case of applicant for promotion to the post of OS in his region or out of region as per seniority within a time bound manner.
4. Sh. V.K. Arya, learned counsel for the respondents submits that let the applicant makes a representation within a period of 10 days from the date of receipt of certified copy of the order, thereafter, they will decide the same as per policy/circular on the subject.
5. Considering the consensual agreement between the parties, we dispose of the present O.A as withdrawn with a direction that if the applicant submits the representation, as noticed above, then the respondents are directed to decide the same within a period of three months thereafter by passing a reasoned and speaking order under intimation to the applicant.
6. No costs.

Uday Kumar Varma
(UDAY KUMAR VARMA)
MEMBER (A)


(SANJEEV KAUSHIK)
MEMBER (J)

Dated: 11.04.2016.

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