

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH CHANDIGARH**

6. O.A. No. 060/00419/2014

Raman Verma Vs. U.O.I. & Others

15.05.2014

Present: Mr. Inderjit Kaushal, counsel for the applicant

1. Contends, inter alia, that despite a judicial pronouncement by the Hon'ble Jurisdictional High Court in the case of **Lachhmi Narain Gupta Vs. Jarnail Singh & Others (CWP 13218/2009)**, ratio whereof has been followed by this Tribunal in the case of **Surinder Pal Kaur & Another Vs. PGI & Another** (O.A. NO. 1414/CH/2013), the respondents are continuing with the grant of reservation in promotion. It is submitted in the context that at the time of hearing of Surinder Pal Kaur's case (supra), the learned counsel representing the PGI had made a statement that the respondents will not make promotion on the basis of reservation but they are acting contrary thereto. In support of his contention, learned counsel has drawn our attention to two OMs 07.01.2014 and 29.04.2013 whereby the Govt. of India has asked to continue with the existing practice of reservation in promotion.
2. Issue notice to the respondents.
3. As prayed, learned counsel for the applicant will serve the respondents ***dasti***.
4. List on 29.05.2014.

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

CWP No.4416 of 2015

Date of decision : 14.09.2015

Post Graduate Institute of Medical Education.

.....Petitioner

Versus

Chandigarh Administrative Tribunal, Chandigarh Bench
and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE M. JEYAPPAUL

HON'BLE MR. JUSTICE DARSHAN SINGH

Present: Mr.Rajesh Garg, Sr. Advocate
with Ms. Nirmata Shergill, Advocate
for the petitioners.

Mr. Inderjit Kaushal, Advocate
for the respondents no. 2 and 3.

M.JEYAPPAUL, J.

We heard the submissions made on either side.

Learned counsel appearing for the writ petitioner
would submit that as of now the writ petitioner has no
proposal to fill up the reserved post meant for SC/ ST
candidate. As and when the Central Government lays down
the policy for promotion, the two posts kept vacant for the
category of SC/ ST candidate would be filled up.

It is submitted by learned counsel appearing for the
writ petitioner that the Tribunal has misread the submission
and has virtually passed a blanket order restraining the writ
petitioner from promoting any person against the reserved

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post meant for SC/ST candidate for all time to come.

Learned counsel appearing for the respondent would submit that only on the basis of the submission made by counsel for the writ petitioner before the Tribunal, the Tribunal passed such an order.

The fact remains that two posts of Private Secretary had been kept vacant by the writ petitioner for SC/ST candidates.

It appears that the writ petitioner awaits policy decision for promotion to the post kept reserved for SC/ST candidates.

In view of the above, the direction in the order passed by the Tribunal dated 04.08.2014 is modified to the extent that for the time being, the writ petitioner herein would not promote any person to the post of Private Secretary reserved for SC/ST candidates.

Writ petition stands disposed of.

(M.JEYAPPAUL)
(JUDGE)

September 14, 2015

S.khan

(DARSHAN SINGH)
JUDGE