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**16. O.A. No. 060/000457/14 &
MA 060/00984/14**

Vijay Kumar Vs. U.O.I. & Others

24.07.2014

Present: Mr. N.P. Mittal, counsel for the applicant
Mr. Rakesh Verma, counsel for the respondents

1. MA 060/00984/14 has been filed by the applicant under Rule 8(3) of CAT(Procedure) Rules, 1987, praying that the O.A. may be disposed of in terms of orders dated 24.04.2014 passed in the case of Jarnail Ram & Others Vs. Union of India & Others(O.A. No. 060/00166/2014) whereby an identical issue has been decided by this Tribunal after noticing the fact that the controversy is pending before the Hon'ble Supreme Court in SLPs 35793-35796/2012 wherein interim directions have been issued that till the matter is finally decided by that Court, no adverse orders shall be passed against the employees who acquired the degree through Distance Education Mode.
2. Issue notice to the learned counsel for the party opposite.
3. Mr. Rakesh Verma, learned counsel for the respondents accepts notice. He does not object to the allowance of the MA.
4. The MA is allowed accordingly.

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5. Accordingly, the O.A. is disposed of in terms of orders dated 24.04.2014 passed in the case of Jarnail Ram & Others Vs. Union of India & Others (supra). The respondents are directed to include the name of the applicant in the list of eligible candidates for further promotion in the hierarchy, if he is otherwise eligible therefor, subject to the outcome of the SLP aforementioned. Let the orders be carried within three months from the date of receipt of a copy of the order.

6. No costs.

(UDAY KUMAR VARMA)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

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