

**Central Administrative Tribunal
Principal Bench**

OA No.975/2017

New Delhi, this the 24th day of March, 2017

**Hon'ble Mr. Justice Permod Kohli , Chairman
Hon'ble Mr. K.N. Shrivastava, Member (A)**

Sunita Kumari Chugh,
Aged about 60 years,
W/o Shri S.R. Chugh,
R/o B-134, 2nd Floor,
Gurjanwala Town, Part-I,
Delhi-110009.

...applicant

(By Advocate : Shri Ajesh Luthra)

Versus

University Grants Commission,
Through its Secretary,
Bahadurshah Zafar Marg,
New Delhi-110002.

...respondent

(By Advocate : Shri Gyanendra Singh)

ORDER (ORAL)

Mr. Justice Permod Kohli, Chairman :-

Heard.

2. Issue notice to the respondent.
3. Shri Gyanendra Singh, learned Standing Counsel appears and accepts notice on behalf of respondent.
4. The applicant initially joined the service as LDC on 16.03.1978. He earned promotions as UDC, Assistant, Section

Officer and came to be promoted as Under Secretary on ad hoc basis vide order dated 01.02.2010 (Annexure-A/1). It is alleged that the applicant became eligible to the post of Deputy Secretary on completion of five years she having been appointed as Under Secretary on regular basis on 01.05.2010. The grievance of the applicant is that no DPC has been held for consideration of the claim of the applicant for promotion to the post of Deputy Secretary and, thus, in this manner the applicant has been denied the promotion to the post of Deputy Secretary. This OA has been filed claiming the following reliefs :-

- “a) Hold and declare that the applicant is wrongly been denied promotion to the post of Deputy Secretary, and
- b) Direct the respondents to immediately convene DPC meeting and to consider the applicant for promotion with effect from the date of her eligibility and promote her accordingly to the post of Deputy Secretary
- c) Accord all consequential benefits including monetary benefits.
- d) Award costs of the proceedings; and
- e) Pass any order/relief/direction(s) as this Hon’ble Tribunal may deem fit and proper in the interests of justice in favour of the applicant.”

5. It is settled law that promotion is not a right. However, every Government employee has a right to be considered for promotion, subject to his eligibility and other relevant considerations in accordance with the rules. The applicant has made representations dated 09.09.2016, 22.09.2016 and 16.03.2017. It is stated that these representations have not been considered till date.

6. In view of the above circumstances, without going into the merits of the controversy, this OA is disposed of at the admission stage itself with a direction to the respondent to consider the representations of the applicant and dispose of the same by passing a reasoned and speaking order within a period of three months from the date of receipt of a certified copy of this order. No costs.

(K.N. Shrivastava)
Member (A)

(Justice Permod Kohli)
Chairman

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