

**Central Administrative Tribunal
Principal Bench**

OA No.1771/2014

New Delhi this the 4th day of April, 2018

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

Tarun Kumar (SSC)
Son of Late Sant Lal
Aged 50 years (approx.)
Working in Armed Forces Medical Stores Depot
Delhi Cantt. 110010 ...Applicant

(By Advocate: Shri M.K. Bhardwaj)

Versus

1. Ministry of Defence
Through Secretary
South Block, New Delhi
110001
2. Armed Forces Medical Stores
Through Director General
M Block, New Delhi – 110 001
3. B.L. Nadev (SSC)
Armed Forces Medical Stores Depot
Akurli Cross Road No.3
Kandivli (East)
Mumbai – 400 101 ...Respondents

(By Advocate: Shri Rajeev Kumar)

ORDER (ORAL)

Justice Permod Kohli:

This OA has been filed seeking a direction for consideration of the case of the applicant for promotion to the posts of SSK w.e.f. 1993, SS w.e.f. 2001 and SSS w.e.f. 2004 in view of the judgment

of the Mumbai Bench of the Tribunal dated 22.12.2009 passed in OA No.388/2006 titled ***Babulal Lalsab Nadaf v. UOI and Ors.*** (Annexure A-12). The entire claim of the applicant is that he is entitled to the benefits as physically handicapped category candidate which has been denied to him while considering him for promotion from one post to another, referred to hereinabove. The similar benefit has been granted to the applicant therein who is admittedly junior to the applicant. The applicant referred to the Annexure A-3 seniority list dated 24.01.2003 wherein the name of the applicant figures at Sl. No.26 and that of Shri Babulal Lalsab Nadaf at Sl. No.38. The further contention of Shri M.K. Bhardwaj, learned counsel appearing for the applicant is that since the applicant was not a party to OA No.388/2006 (supra), similar benefit has not been granted to him.

2. In view of the above circumstances, this OA is disposed of with the direction that the claim of the applicant, at various stages, referred to in the relief part, be considered as a physically handicapped category candidate on the lines of the judgment dated 22.12.2009 passed in OA No.388/2006. Let the consideration be accorded within a period of three months from the date of receipt of a copy of this order.

(K.N. Shrivastava)
Member (A)

(Justice Permod Kohli)
Chairman

/vb/

