

**Central Administrative Tribunal
Principal Bench, New Delhi.**

OA-3733/2016

New Delhi, this the 7th day of November, 2016.

Hon'ble Mr. Shekhar Agarwal, Member (A)

Hon'ble Mr. Raj Vir Sharma, Member (J)

1. Sh. Pawas P. Singh,
Aged about 54 years,
S/o Sh. Chandan Singh,
R/o 15, Green City Colony,
Aligarh (UP).
(Working as Manager (Tech), NHAI)
2. Sh. Suresh Kumar,
Aged about 50 years,
S/o Sh. Vijay Singh,
R/o H.No. 394, Sector-31,
Faridabad, Haryana.
(Working as Manager (Tech), NHAI)
3. Sh. Sanjay Kumar Mishra,
Aged about 50 years,
S/o Late Sarju Mishra,
R/o 13/801, Vasundhara,
Ghaziabad (UP),
(Working as Manager (Tech), NHAI) ... Applicant

(By Advocate : Sh. S.K. Gupta)

Versus

National Highways Authority of India,
Through its Chairman,
G-5 & 6, Sector 10, Dwarka,
New Delhi-110075. ... Respondents

ORDER (ORAL)

Hon'ble Mr. Shekhar Agarwal, Member (A)

MA No. 3292/2016 filed for joining together is allowed.

This OA has been filed seeking the following reliefs:

“(i) the action of the respondent in not considering the case of the applicant for promotion to the post of Dy. General Manager (Tech) as illegal and arbitrary;

(ii) direct the respondent to consider the case of the applicants for the post of Dy. General Manager (Tech) and if the applicants are found fit, they may be promoted with all consequential benefits;
(iii) may also pass any further order(s), directions(s) as be deemed just and proper to meet the ends of justice:"

2. Learned counsel for the applicants argued that this case was similar to OA No. 3696/2014 and OA No.3762/2014 which have been decided by this Tribunal's order dated 11.11.2014. The order of this Tribunal has been upheld by Hon'ble High Court of Delhi vide Writ Petition no. 9227/2014 vide their order dated 05.04.2016. SLP filed against the same has been dismissed by Hon'ble Supreme Court on 27.10.2016. Learned counsel for the applicants prayed that the applicants herein may be extended the benefits of the aforesaid judgment.

2. In view of the limited prayer made by learned counsel for the applicants, we dispose of this OA at the admission stage itself without issuing notice to the respondents and without going into the merits of the case with a direction to them to consider the case of the applicants herein in the light of the aforesaid judgment and in case they are found to be similarly placed like the applicants of the aforesaid OAs, then they be extended the same benefits. In any case, the respondents shall communicate their decision to the applicants by means of a reasoned and speaking order within a period of sixty days from the date of receipt of a certified copy of this order. No costs.

(Raj Vir Sharma)
Member (J)

(Shekhar Agarwal)
Member (A)

/ns/