

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...

O.A. No.60/1120/2018

Date of decision: 19.09.2018

...

CORAM: HON'BLE MRS. AJANTA DAYALAN, MEMBER (A).

...

Ram Gopal No.320/CHG, aged 50 years, son of Late Sh. Girdhari Lal, Deputy Superintendent of Police, CID, PHQ, Sector-9, Union Territory Chandigarh-160009. Group 'B'.

... APPLICANT

VERSUS

1. Union of India through its Secretary to Government of India, Ministry of Home Affairs, North Block, New Delhi-110001.
2. Union Territory Chandigarh through its Administrator, Union Territory Secretariat, Sector-9, Chandigarh-160009.
3. The Adviser to the Administrator, Union Territory Chandigarh, U.T. Secretariat, Sector-9, Chandigarh-160009.
4. The Home Secretary, Union Territory Chandigarh, U.T. Secretariat, Sector 9, Chandigarh-160009.
5. Director General of Police, Union Territory, Union Territory Chandigarh, Police Headquarters, Sector 9, Chandigarh-160009.

... RESPONDENTS

PRESENT: Sh. R.K. Sharma, counsel for the applicant.

ORDER (Oral)

...

MRS. AJANTA DAYALAN, MEMBER (A):-

1. Heard. Learned counsel for the applicant submitted that applicant was eligible and was senior most for promotion as DSP right from 23.01.2009. DPC to consider promotion to the post first time was held on 22.02.2011. However, his case was kept pending due to some Court order to maintain status quo qua the applicant, which finally went up to the Hon'ble Supreme Court by filing of SLP, which was dismissed in 2014. Thereafter order of his promotion was issued on 04.01.2016 w.e.f. 22.02.2011. The applicant is now seeking pre-dating of his promotion to the original date i.e. 23.01.2009.

2. Counsel for the applicant stated that representation of the applicant to this purpose is pending with the respondent department and he will be satisfied if direction is issued to respondents to consider and decide representation of the applicant by passing a reasoned and speaking order in a time bound manner. To buttress his submissions, he also relied upon the order dated 18.10.2011 passed by this Tribunal in O.A. No.907/CH/2011 titled Inspector **Kewal Krishan vs. Chandigarh Administration & Ors.,** further upheld by the Hon'ble jurisdictional High Court vide judgment dated 09.10.2015 in CWP No.19039 of 2012 (Annexure A-25 and A-26 respectively).
3. Issue notice to the respondents.
4. At this point of time, Sh. Arvind Moudgil, Advocate, appears and accepts notice on behalf of the respondents and has no objection to prayer of the applicant for disposal of his representation in a time bound manner.
5. Accordingly, with the consent of learned counsels for both sides, the present O.A. is disposed of with a direction to the respondents to consider and decide pending representation of the applicant by passing a reasoned and speaking order in accordance with the law. The above exercise be carried out within a period of two months from the date of receipt of a certified copy of this order. Disposal of the O.A. in the above terms will have no reflection on the merit of the case

(AJANTA DAYALAN)
MEMBER (A)

Date: 19.09.2018.

Place: Chandigarh.

`KR'