

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...

O. A. No.60/1504/2017

M.A. No.60/38/2018

Date of decision: 11.01.2018

...

**CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J).
HON'BLE MRS. P. GOPINATH, MEMBER (A).**

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Sunita Devi, aged 44 years, wife of Shri Yashwinder Singh, resident of H. No.671, Sector-11, Panchkula, presently working as Steno-Typist (Group-C post) in the office of Senior Town Planner, U.T. Secretariat, Sector-9, Chandigarh.

... APPLICANT

VERSUS

1. Union Territory, Chandigarh through its Administrator, U.T., Sector-9, Chandigarh.
2. The Secretary, Hospitality Department, Chandigarh Administration, U.T. State Guest House, Sector-6, Chandigarh.
3. The Director Hospitality, Chandigarh Administration, U.T. Secretariat, Sector-9, Chandigarh.

... RESPONDENTS

PRESENT: Sh. G.S. Bal, Sr. Advocate, along with Ms. L.K. Brar, counsel for the applicant.
Sh. Arvind Moudgil, counsel for the respondents.

ORDER (Oral)

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SANJEEV KAUSHIK, MEMBER (J):-

1. M.A. No.60/38/2018 is allowed. Accompanying written statement is taken on record.
2. Present O.A. has been filed wherein applicant has challenged validity of Annexure A-1, whereby promotion order dated 21.11.2017 qua applicant has been cancelled. She has also sought issuance of direction to the respondents to accept her jointing report dated 22.11.2017 and treat her as Senior Assistant from that date and she be granted all consequential benefits.

3. When matter came up for hearing on 19.12.2017 pursuant to notice, the respondents represented through Sh. Arvind Moudgil, Advocate, have filed written statement. Sh. Moudgil representing the respondent Chandigarh Administration submitted that in view of para 4 'Preliminary Objections/Submissions' of their reply, this O.A. can be disposed of. The respondents will seek approval of Adviser to Administrator within 10 days to allow the applicant to continue on the promotional post. Para 4 reads as under:-

"That promotion of the applicant, who is at Sl. No.1 in seniority being the senior most eligible employee, shall remain intact once approval of the appointing authority viz. Adviser to the Administrator is obtained and stay granted by this Hon'ble Court vide order dated 22.12.2017 in O.A. No.60/1540/2017 titled Arun Kumar Versus UT Chandigarh and others is vacated by this Hon'ble Court."

4. In view of above, learned counsel for the applicant submitted that the impugned order cancelling promotion qua applicant has to go.
5. Accordingly, we allow this O.A. in view of the averment made by respondents as noticed above and quash order dated 27.11.2017 qua the applicant. As prayed, 10 days time is allowed to the respondents to have approval of Adviser to Administrator to allow the applicant to continue on the promotional post.
6. The O.A. stands disposed of in the above manner.

(P. GOPINATH)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

Date: 11.01.2018.
Place: Chandigarh.

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