

CENTRAL ADMINISTRATIVE TRIBUNAL CHANDIGARH BENCH

O. A. No.060/00079/2018 Date of decision: 10.05.2018
M.A. No.060/00347/2018

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

Paramjit Singh S/o Sh. Nirmal Singh, aged 57 years, working as Head Draftsman, O/o Executive Engineer, Public Health Division No.7, Sector-11, Chandigarh, R/o # 101, Sector 46-A, Chandigarh.

By Advocate: Mr. G.S. Sathi.

VERSUS ... APPLICANT

1. Union Territory Chandigarh through its Finance Secretary-cum-Secretary Engineering, UT Sectt. Building, Sector-9, Chandigarh.
2. Secretary Personnel, Chandigarh Administration, UT Sectt. Building, Sector-9, Chandigarh.
3. Chief Engineer & Special Secretary, Engineering Deptt., Chandigarh Administration, UT Sectt. Building, Sector-9, Chandigarh.
4. Sh. Tarsem Singh, Divisional Head Draftsman, O/o Executive Engineer, Public Health Division No.2, Engineering Deptt. Chandigarh Administration, Sector-9, Chandigarh.

... RESPONDENTS

By Advocate: Mr. Vinay Gupta (For respondents no.1 to 3).
Mr. R.S. Rawal (For respondent no.4.)

ORDER (Oral)

SANJEEV KAUSHIK, MEMBER (J):-

1. Present O.A. has been filed wherein applicant is seeking declaration from the Court to declare him senior from respondent no.4 as Head Draftsman by applying principle of catch-up rules.
2. On the submissions made by learned counsel for the applicant that the competent authority intends to promote private respondent No.4 to the post of Circle Head Draftsman without applying principle of catch-

up rule, this Court issued notice on 22.01.2018, which was accepted by counsel for Chandigarh Administration.

3. On 07.03.2018, on filing of M.A. No.60/347/2018, this Court reiterated that there shall be no reservation in promotion in terms of judgment in the case of **B.K. Pavitra & Ors. Vs. Union of India & Ors.** (2017 (4) SCC 620)
4. Today, learned counsel appearing on behalf applicant submitted that this O.A. may be disposed of with a direction to the respondents to follow catch-up rule for making any promotion to the post of Circle Head Draftsman.
5. Counsel for Chandigarh Administration as well as private respondent No.4 did not dispute the contention. However they submitted that there is no need to issue such direction and they will apply catch-up rules as per directions given by Hon'ble Supreme Court in case of B.K. Pavitra.
6. Accordingly, we dispose of this O.A. along with M.A. in view of the observations, as noticed above.

(P. GOPINATH)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

Date: 10.05.2018.
Place: Chandigarh.

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