

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

O.A. No.60/656/2017

Date of decision: 27.07.2018

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

Vikas Mittal son of Sh. Naresh Kumar Mittal, aged about 36 years, resident of House No.1928, Sector-26, Panchkula, presently working as Hostel Attendant, Chandigarh College of Architecture, Sector-12, Chandigarh (Group-C).

... APPLICANT

VERSUS

1. Chandigarh Administration through Secretary Technical Education, Union Territory, Sector-9, Deluxe Building, Chandigarh.
2. Principal, Chandigarh College of Architecture, Sector-12, Chandigarh (U.T.).

... RESPONDENTS

PRESENT: Sh. S.S. Pathania, counsel for the applicant.
Sh. Gagandeep Singh Chhina, counsel for the respondents.

ORDER (Oral)

SANJEEV KAUSHIK, MEMBER (J):-

1. Prayer in this O.A. is to quash order dated 14.09.2015 (Annexure A-17), whereby respondents have rejected claim of the applicant for merger of post of Hostel Attendant in feeder for promotion cadre to the post of Senior Assistant.
2. After exchange of pleadings, matter came up for hearing today.
3. Sh. G.S. Chhina, learned counsel for respondents produced a copy of order dated 12.09.2017 passed in the case of **Shashi Bala vs. Chandigarh Administration and Ors.** whereby same plea, as

raised by the applicant in this O.A., has been rejected. He argued that instant O.A. being on similar footings, deserves the same fate. He also submitted that Sh. S.S. Pathania, counsel for the applicant in the present case was also a counsel for applicant in that case.

4. Sh. Pathania, learned counsel for the applicant, is not in position to contradict the submissions made by learned counsel for the respondents.
5. Accordingly, this O.A. is dismissed for parity of reasons as in the case of Shashi Bala. Relevant para of the order reads as under:-

"6. We have given our thoughtful consideration to the matter and are in agreement with the submissions made at the hands of the respondents that unless the Recruitment Rules of 2013 are not challenged on available grounds, the applicant will not succeed in the present OA because the applicant has impugned order dated 28.09.2015, whereby his case has been rejected by not including the post of Hostel Warden in the feeder cadre for Senior Assistant.

In view of the above discussion, we find that the present O.A. is bereft of merit and the same is accordingly dismissed. No costs."

(P. GOPINATH)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

Date: 27.07.2018.
Place: Chandigarh.

`KR'