

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...
ORIGINAL APPLICATION NO.060/00848/2018

Chandigarh, this the 3rd day of August, 2018

...
**CORAM:HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J) &
HON'BLE MS. AJANTA DAYALAN, MEMBER (A)**

...

1. Pritam Dass aged 55 years s/o Chuni Lal, T. No. 2552, Special Packer, Grade - I, Suranussi Depot, 223, ABOD, Suranussi, Jalandhar r/o H. No. 2753, Bhargav Nagar, Jalandhar - 144001 Group C
2. Roshan Lal aged 52 years son of Gurnam Dass T. No. 2610, Packer 223, ABOD, Suranussi, Jalandhar, r/o H. No. ES 573, Main Road, Abadpura, Jalandhar - 144001. Group C
3. Narinder Pal aged 50 years son of Ram Rakha. T. No. 2606, Packer Grade II, 223 ABOD Suranussi, Jalandhar r/o H. No. 2, New Amar Nagar, Gulab Devi Road, Jalandhar - 144001. Group C.
4. Raj Rani aged 47 years wife of Raj Kumar Jassi, T. No. 2703, Packer, 223, ABOD, Suranussi, Jalandhar, r/o H. No. 3, Sunder Nagar, Reru, Jalandhar - 144001. Group C.
5. Harbhajan Singh aged 49 years son of Parkash Singh, T. No. 2758, Packer, 223, ABOD, Suranussi, Jalandhar r/o H. No. B-I-212, Ravi Dass Nagar, Jalandhar - 144001 Group C.
6. Sardha Rani aged 48 years w/o Rakesh Kumar, T. No. 2775, Packer, 223 ABOD, Suranussi, Jalandhar, r/o H. No. 48, Guru Nanak Nagar, Gulab Devi Road, Jalandhar - 144001. Group C.
7. Jasbir Singh aged 49 years son of Boota Ram, T. No. 2596, Packer Grade-II, 223 ABOD, Suranussi, Jalandhar r/o H. No. 616, Borah Wala Mohala, Maqsudan, Jalandhar - 144001 Group C.
8. Swaran Singh aged 52 years son of Karam Singh T. No. 2624, Packer, 223, ABOD, Suranussi, Jalandhar, r/o H. No. 20, Village Barla, Distt. Hoshiarpur - 146001. Group C.
9. Prem Lal aged 51 years son of Gian Chand T. No. 2578, Packer HS Grade I, 223, ABOD, Suranussi, Jalandhar r/o H. No. 5, Gali No. 1, Guru Nanak Nagar, Basti Sheikh, Jalandhar - 144001. Group C.
10. Jivan Lal aged 50 years son of Brij Lal T. No. 2602, Packer HS-II 223 ABOD Suranussi, Jalandhar r/o H. No. 113, Gali No. 3, Issa Nagar, Jalandhar - 144001, Group C.
11. Gurinder Singh aged 54 years son of Surinder Singh T. No. 2577, Packer HS- I, 223, ABOD Suranussi, Jalandhar r/o H. No. 83 A Navjoti Colony, Chack Jinda, Jalandhar - 144001 Group C.
12. Sandeep Kumar aged 40 years son of Kali Dass T. No. 2714, Packer, 223 ABOD Suranussi, Jalandhar r/o H. No. 49, village Amu Kalan, Ward No. 2, District Hamirpur, Tehsil Hamirpur, Himachal Pradesh - 177001- Group C
13. Vidya Sagar aged 48 years son of Nanak Chand, T. No. 2745, Packer, 223 ABOD, Suraunssi, Jalandhar r/o H. No. B-II 638, Gandhi Nagar (Camp), Jalandhar - 144001 Group C.
14. Vinod Kumar aged 46 years son of Chuni Lal, T. No. 2736, Packer, 223 ABOD Suranussi, Jalandhar, r/o H. No. 263, B I

Bazzar, Macchi Mohala, Jalandhar Cantt, Jalandhar – 144001 Group C.

15. Rakesh Kumar aged 52 years son of Om Parkash, T. No. 2636, Packer, 223, ABOD, Suranussi, Jalandhar r/o H. No. BC 9/9, Bhargav Nagar, Jalandhar – 144001 Group C.

16. Mohinder Singh aged 45 years s/o Dharshan Singh, T. No. 2718, Packer, 223, ABOD, Suranussi, Jalandhar r/o H. No. B-1/311, Anand Nagar, Jalandhar – 144001, Group C.

17. Rajesh Kumar aged 43 years son of Parkash Chand, T. No. 2747, Packer, 223, ABOD, Suranussi, Jalandhar, r/o Village Dabberh Tika Samerha, PO Chhod Ghera, Tehsil Baroh, District Kangra, Himachal Pradesh – 176001 Group C.

....Applicants

(Present: Mr. Sandeep Arora , Advocate)

Versus

1. Union of India through Secretary, Ministry of Defence, 101-A, South Block, New Delhi -110011.
2. Chief of the Army Staff, Army Headquarters, South Block, DHQ P.O. New Delhi -110011.
3. Directorate General of Ordnance Services, Master General of Ordnance Branch, Army Headquarters, DHQ, P.O. New Delhi – 110011.
4. Officer-in-Charge, HQ 91, Sub Area, Pin – 908691 c/o 56 APO.

.....

Respondents

ORDER (Oral)

SANJEEV KAUSHIK, MEMBER (J)

1. Heard.
2. Learned counsel for the applicants submitted that the applicants, who are working as Packer in the Defence Establishments, are eligible for promotion to the post of HS-I, HS-II, MCM and Chargeman, as per the letter dated 14.09.2005 (Annexure A-2). However, their cases for promotion were not considered on the plea that the respondents are in the process of changing the criteria for promotion to the said posts. He further submitted that the respondents have subsequently issued letter dated 14.12.2015 (Annexure A-5), whereby they have changed the criteria for promotion from T-Mates to the other posts, however,

there is no mention about any change with regard to the criteria for promotion from the post of Packer to HS-I & HS-II and MCM.

3. Learned counsel prays that in view of the above, the respondents may be directed to consider the claim of the applicants in the light of the earlier rule formation (Annexure A-2).

4. Keeping in view the limited prayer made by learned counsel for the applicants, this O.A. is disposed of, in limine, with a direction to the respondents to consider the claim of the applicants for promotion to the posts, to which they are entitled, as per the rule formation (Annexure A-2). If subsequently there is any change in the criteria for promotion with regard to the category of the applicants, or if they are otherwise not entitled for promotion, a speaking and reasoned order be passed on their claim, within a period of three months from the date of receipt of a certified copy of this order. The order so passed be communicated to the applicants.

5. Needless to mention, that disposal of the O.A. shall not be construed as an expression of any opinion on the merits of the case.

(AJANTA DAYALAN)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

Dated: 03.08.2018

‘mw’