

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...
ORIGINAL APPLICATION NO.060/00512/2019
Chandigarh, this the 17th day of May, 2019

...
CORAM:HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)

1. Pawanjit Singh s/o S. Jagtar Singh, age 47 years, R/o H. No. 1395/11, Phase 11, Mohali, Punjab – 160068.
2. Baraj S/o Sh. Raghbir Singh, age 43 years, R/o H. No. 3132, Sector 24-D, Chandigarh – 160023.
3. Parveen Kumar s/o Sh. Manohar Lal, age 43 years, R/o H. No.1328, Sector 15-B, Chandigarh – 160015.

....Applicants

(Present: Mr. Rohit Seth, Advocate)

Versus

1. Union of India through Secretary to Govt. of India, Ministry of Health and Family Welfare, Near Udyog Bhawan, Metro Station, Mulana Azad Rd, New Delhi – 110011.
2. Chandigarh Administration, Department of Health, U.T. Secretariat, Sector 9, Chandigarh through its Secretary Health – 160009.
3. Director Health Services, Chandigarh Administration, Government Multi Speciality Hospital, Sector 16, Chandigarh – 160016.

..... Respondents

(Present: Mr. Arvind Moudgil, Advocate)

ORDER (Oral)

SANJEEV KAUSHIK, MEMBER (J)

1. MA No. 060/00854/2018 is allowed and the applicants are allowed to join together to file this single O.A.
2. In the present O.A., the applicants before this Court are working as Multi Purpose Health Worker (MPHW) with the

respondent department and their grievance is that though they are eligible for promotion to the post of Multi Purpose Health Supervisor, but their case for promotion is not being considered on the ground that their seniority list has not been finalized till date.

3. Learned counsel for the applicants submitted that the respondents circulated a tentative seniority list dated 06.08.2018 (Annexure A-1), calling for objection there against, if any, within 15 days. But even after lapse of eight months, the seniority list has not been finalized and for that reasons, the process of promotion of the applicants has been held up. Therefore, learned counsel prayed that the applicants would be satisfied if the O.A. is disposed of with a direction to the respondents to take a call and finalize the seniority list of the category of applicants so that their case for promotion could be considered, as per rules.

4. Issue notice to the respondents.

5. At this stage, Mr. Arvind Moudgil, Advocate, appears and accepts notice on their behalf. He does not object to the disposal of the O.A. in the above terms.

6. Admittedly, promotion cannot be claimed as a matter of right but consideration at the relevant time cannot be taken away in arbitrary exercise of power. Considering the fact that the tentative seniority has already been circulated and objections, if any, have also been filed by the aggrieved persons, it is deemed appropriate to dispose of this O.A., as prayed, in limine, with a direction to the respondents to finalize the seniority list of the applicants, in accordance with law, expeditiously, but not later than three

months, from the date of receipt of a copy of this order. Ordered accordingly. No costs.

(SANJEEV KAUSHIK)
MEMBER (J)
Dated: 17.05.2019

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