

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...

O.A. No.60/1007/2017

Date of decision: 14.03.2019

...

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

...

Ram Pukar, aged 50 years, son of Late Sh. Kamal Parsad, presently working as Store Keeper (Group 'B') Post, Department of Anatomy, PGIMER, Sector-12, Chandigarh.

... APPLICANT

VERSUS

1. Post Graduate Institute of Medical Education and Research, Sector-12, Chandigarh through its Director.
2. Department of Promotion Committee of Junior Store Officer, PGIMER, Sector-12, Chandigarh.

... RESPONDENTS

PRESENT: Sh. H.S. Saini, counsel for the applicant.
Sh. D.R. Sharma vice Sh. P.K. Khindriya, counsel for the respondents.

ORDER (Oral)

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SANJEEV KAUSHIK, MEMBER (J):-

1. Present O.A. has been filed wherein applicant has impugned DPC proceedings/recommendations dated 28.03.2017 (Annexure A-1), whereby his claim for promotion from the post of Store Keeper to Junior Store Officer has been declined.
2. Today, Sh. H.S. Saini, learned counsel for the applicant submitted that the applicant has been promoted as such on the recommendations made by DPC based on his own merit. Therefore, the plea raised by the applicant is that he be considered for promotion

in the earlier DPC, when his case was ignored because at that time applicant was at serial no.3 in general seniority against three vacancies, thus, he could have been promoted against third vacancy as per general merit without resorting to reservation. Since his plea has now been accepted, therefore, let a direction be issued to the respondents to grant him promotion by convening review DPC when other persons were promoted against vacancies.

3. Sh. D.R. Sharma vice Sh. P.K. Khindriya did not object to prayer made.
4. In the wake of above, we direct the applicant to submit a representation containing subsequent developments of accepting his plea, within a period of seven days from today. On receipt of the same, respondents are directed to consider and decide the same by passing a reasoned and speaking order within a period of two months thereafter. While considering the same, they shall take into account that once they have themselves accepted contention of the applicant by granting him promotion on his own merit, then they have to see whether he was eligible at the time when earlier DPC was held. If he is granted benefit, then he will be entitled to consequential benefits also.
5. The O.A. stands disposed of in the above terms. No costs.

(P. GOPINATH)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

Date: 14.03.2019.
Place: Chandigarh.

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