

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CHENNAI BENCH**

**OA/310/00953/2018**

**Dated Friday the 20<sup>th</sup> day of July Two Thousand Eighteen**

**PRESENT**

**HON'BLE SMT. B. BHAMATHI, Member (A)**

**&**

**HON'BLE SHRI. P. MADHAVAN, Member (J)**

Dr. (Major) Swaminathan P.,  
Asst. Professor (Pathology),  
National Institute of Siddha,  
Tambaram Sanatorium,  
Chennai 600047.

....Applicant

By Advocate M/s. J. Srinivasan Mohan

Vs

1.Union of India  
by Secretary,  
Ministry of AYUSH,  
GPO Complex, AYUSH Bhavan,  
2<sup>nd</sup> floor, B-Block, INA, New Delhi 110023.

2.National Institute of Siddha,  
rep by its Director,  
Tambaram Sanatorium,  
Chennai 600047.

....Respondents

By Advocate Mr. J. Vasu

**ORAL ORDER**

**(Pronounced by Hon'ble Smt. B. Bhamathi, Member(A))**

Heard. The applicant has filed this OA under section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:

- "i. To direct the respondents to implement OM of Ministry of Health and Family Welfare in file F. No. A. 45012/2/2008-CHS. V dt. 29.10.2008 in the 2nd respondent institute.
- ii. Consequently direct the 2nd respondent to promote the applicant to the post of Associate Professor from 2015 with all attendant benefits,
- iii. Pass such other order as this Hon'ble Tribunal may deem fit in the circumstances of the case including costs and thus render justices. "

2. It is submitted that the applicant is working as Assistant Professor (Pathology), National Institute of Siddha, under Ministry of AYUSH. He made representations on 27.11.2015 and 19.03.2018 for extending him the benefit of Dynamic Assured Career Progression (DACP) Scheme formulated by Ministry of Health and Family Welfare. He also submitted a reminder on 25.04.2018. The said representations are still pending for consideration. Learned counsel for applicant submits that the applicant would be satisfied if the 1st respondent is directed to consider the representations within a time limit to be stipulated by this Tribunal.

3. Mr. J. Vasu takes notice for the respondents.

4. To meet the ends of justice, and without going into the merits of the case, we deem it appropriate to direct the 1st respondent to

consider the representations of the applicant dt. 27.11.2015, 19.03.2018 and 25.04.2018 in accordance with law and pass a reasoned and speaking order within a period of 16 weeks from the date of receipt of certified copy of this order. Issues of law, including that of delay are kept open since it is seen that cause of action arose in the year 2015.

5. OA is disposed of with the above direction at the admission stage.

**(P. Madhavan)**  
**Member(J)**

**(B.Bhamathi)**  
**Member(A)**

**20.07.2018**

SKSI