

**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI**

**O.A No. 610/2019 With  
M.A No. 701/2019**

New Delhi, this the 22<sup>nd</sup> day of February, 2019

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman**  
**Hon'ble Mr. Mohd. Jamshed, Member (A)**

1. Hemant Kumar Pandey  
Deputy Director (STS), ESIC Hqrs.,  
Age 45 years, Group 'A',  
S/o. Late Shri Kamla Kant Pandey,  
R/o. Quarter No. 3, Type-IV,  
ESI Colony,  
Sector-56, NOIDA-201301.

2. Deepak Malik  
Deputy Director (STS), ESIC Hqrs.,  
Age 43 years, Group 'A',  
S/o. Shri Om Prakash Malik,  
R/o. C-66 Mohan Garden,  
New Delhi-110 059.

...Applicants

(By Advocate : Mr. Padma Kumar S.)

Versus

1. Union of India,  
Through Secretary,  
Ministry of Labour and Employment  
Shram Shakti Bhawan,  
New Delhi – 110 011.

2. The Director General  
ESIC Headquarters  
Panchdeep Bhawan, CIG Marg,  
New Delhi – 110 002.

...Respondents

(By Advocate : Mr. Gyanendra Singh with Mr. Devraj Singh)

O R D E R (O R A L)

**Justice L. Narasimha Reddy, Chairman :**

The applicants are working as Deputy Directors

(STS) in the ESIC Corporation. They submit that the draft seniority list for the post of Deputy Directors was published by the 2<sup>nd</sup> respondent on 28.06.2016 and that the aggrieved persons have made representations. According to them, though the matter is clear in all respects, the final seniority list has not been published yet.

2. Applicants contend that further promotions in the organisation are held up due to non publication of the final seniority list. They made representation on 14.05.2018 in this behalf and complain that no action has been taken thereon.

3. Heard Mr. Padma Kumar S., learned counsel for applicants and Mr. Gyanendra Singh with Mr. Devraj Singh, learned counsels for respondents.

4. The second respondent has already published draft seniority list on 28.06.2016. Unless there exists any impediment from any Court of law, the final seniority list ought to have been published by this time. It is stated that the promotions from the post of Deputy Directors are held up on account of non finalisation of the seniority list.

5. We, therefore, direct the 2<sup>nd</sup> respondent to publish the final seniority list for the post of Deputy Director duly

taking into account, the draft seniority list dated 28.06.2016 and the representations received from the aggrieved parties, if any within a period of three months from the date of receipt of a certified copy of this order. There shall be no order as to costs.

(Mohd. Jamshed )  
Member (A)

(Justice L. Narasimha Reddy)  
Chairman

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