

**Central Administrative Tribunal
Principal Bench**

OA No.889/2019

New Delhi, this the 18th day of March, 2019

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

Dr. K. Ravi
S/o Shri Krishnamacharry
Aged about 60 years
Joint Advisor (Siddha)
Ministry of Aush
B-Block, GPOI Complex, INA,
New Delhi 110 023.Applicant.

(By Advocate : Shri J. B. Ravi)

Vs.

1. The Secretary
Ministry of Ayush
B-Block, GPO Complex,
INA, New Delhi 110 023.
2. Ms. Shruti Pandey
Additional Director
Ministry of Ayush
B Block, GPO Complex,
INA, New Delhi 110 023. ... Respondents.

: ORDER (ORAL) :

Justice L. Narasimha Reddy, Chairman:

The applicant is working as Joint Advisor (Siddha) in the Ministry of Ayush. Till 28.12.2018, he was in Chennai. On 10.01.2019, he was transferred to Ministry of AYUSH, and he was also taken on the strength of the Ministry w.e.f. 21.12.2018. Recently on 08.03.2019, he has been placed at the disposal of the Director, CGHS with the request to

provide a substitute in his place. The said order is challenged in this OA.

2. The applicant contends that he is attached to the Ministry of Ayush and all Joint Advisors in other fields, such as, Ayurveda, Unani and Homeopathy, were promoted to the post of Advisors. He contends that on the one hand he was denied promotion and on the other hand, he was placed in a Ministry which has no concern with Siddha.

3. We heard Shri J. B. Ravi, learned counsel for the applicant and Shri Piyush Gaur, learned counsel for the respondents.

4. It was in the recent past, that the applicant was transferred from Chennai to the Ministry of AYUSH at Delhi. It appears that the work load in the field of the applicant is not that much, and it has been decided to avail the services and expertise of the applicant in CGHS. It is axiomatic that if any functions referable to the office of Joint Advisor in Siddha arise they shall invariably be assigned to the applicant alone. Till such time, the applicant cannot be kept idle and his expertise can be used in CGHS.

5. We, therefore, dispose of the OA directing that the arrangement through the impugned order shall be treated

as tentative and as and when any work arises in Siddha, it shall be assigned to the applicant in accordance with the norms of work allocation. There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/pj/