

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...
ORIGINAL APPLICATION NO.060/00828/2019
Chandigarh, this the 07th day of August, 2019

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

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Dr. Manju Shree, aged 51 years Assistant Director (Homeopathy) In-charge DHD Directorate of AYUSH, Chandigarh Administration, Chandigarh (UT) & R/o # 3432, Sector 24 D Chandigarh – 160024 (Group A)

....Applicant

(Present: None)

Versus

1. Union of India through Secretary to Government of India, Ministry of AYUSH 'B' Block GPO Complex, INA New Delhi – 110023.
2. Secretary to Government of India, Ministry of Health & Family Welfare, Nirman Bhawan, New Delhi – 110001.
3. Union Territory Chandigarh through its Administrator Sector 6, Chandigarh.
4. Secretary Health Chandigarh Administration, Deluxe Building, 4th Floor, UT Secretariat, Sector 9, Chandigarh – 160011.
5. Director AYUSH Chandigarh Administration, Directorate of Homeopathy & Ayurvedic Govt. Dispensary Sector 24, Chandigarh – 160024.
6. Dr. Rama Sharma Assistant Director (Homeopathy) Homeopathic Dispensary Sector 24, Chandigarh – 160024.

..... Respondents

ORDER (Oral)

SANJEEV KAUSHIK, MEMBER (J)

1. The Members of the C.A.T. Bar Association are abstaining from work in the wake of a call given by High Court Bar Association.
2. I have gone through the pleadings.

3. Applicant, in the present case, is aggrieved against the seniority list 14.01.2018 (Annexure A-1) against which he has filed objections vide representations dated 20.03.2017, 28.04.2017, 28.06.2018, 26.11.2018 (Annexures A-1 to A-4), followed by a legal notice dated 26.10.2018 (Annexure A-8). It is averred that the respondents, without deciding her claim with regard to seniority issue, are acting upon the impugned seniority list and considering the case of private Respondent No. 6 for promotion, which is illegal. It is prayed in the O.A. that since the representations (Annexure A-1 to A-4) and legal notice have not been answered, the respondents be directed to consider and decide these in accordance with law and till then any action in pursuance of the impugned seniority list dated 14.01.2018 be stayed.

5. In view of the above noted facts, I deem it appropriate to dispose of the O.A., in limine, with a direction to the Competent Authority amongst the respondents to consider and decide the indicated representations/legal notice (Annexures A-3, A-4 and A-8), in accordance with law, by passing a reasoned and speaking order, within a period of two months from the date of receipt of a copy of this order. Ordered accordingly. Till the time such order is duly communicated to the applicant, the respondents are restrained from granting any benefit to the incumbents in pursuance of the impugned seniority list.

(SANJEEV KAUSHIK)
MEMBER (J)
Dated: 07.08.2019

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