

CENTRAL ADMINISTRATIVE TRIBUNAL CHANDIGARH BENCH

Order Sheet

Item no.: 21
O.A./567/2020 (CHANDIGARH)
[PROMOTION]
With
M.A./709/2024
Court No.: 2

No of Adjournment: 31

Order Dated: 15/10/2025

DINESH SINGH RAO
Vs
DIRECTOR HEALTH SERVICES UT

For Applicant(s) Advocate : Mr. Mandeep Singh for Mr. R.K. Sharma

For Respondent(s) Advocate : Mr. Sarvesh Rattan for Mr. Rajesh Punj for R-3 to 8

Order of The Tribunal

The applicant has preferred *MA No. 709/2024* seeking restraint to the respondents from promoting Respondent No. 8 to the post of Planning Officer, during the pendency of the OA. Despite various opportunities by this Tribunal since 22.04.2024, no reply has been filed by the respondents.

2. We have heard learned counsels for both the sides and perused the material on record.

3. The applicant, by way of the present OA, has challenged the promotion of Respondent No. 8 to the post of Superintendent Grade-II (Group 'B'), being issued by the incompetent authority on the basis of redundant Group 'C' rules. The challenge, by way of representation, by the applicant to the promotion of Respondent

No. 8, has been rejected by the Respondent No. 6 vide order dated 13.09.2019, followed by rejection of appeal by Respondent No. 4 vide order dated 24.06.2020. The aforesaid orders issued by the respondents are under challenge, and *sub judice* before this Tribunal in the instant OA.

4. The plea of the applicant is that next channel of promotion from the post of Superintendent Grade - II is to the post of Planning Officer, since the post is lying vacant since December, 2020, therefore, the respondents have initiated the process to promote the Respondent No. 8 to the post of Planning Officer, whereas her promotion to the post of Superintendent Grade - II is under challenge in the present OA. The further promotion of Respondent No. 8 to the post of Planning Officer will complicate the issue and cause prejudice to the rights of the applicant, who is at the verge of retirement and due for superannuation on 31.01.2026. In support of his contention, the applicant has placed on records, information provided by the respondents under RTI Act.

5. From the perusal of material available on record, we have noticed that the Respondent No. 4 vide communication dated 03.07.2025 requested the Respondent No. 6 to call for DPC. In pursuance thereof, the Respondent No. 6 has constituted the DPC on 03.07.2025. An agenda for DPC for promotion to the post of Planning Officer has already been sent to the Chandigarh Administration. In the aforesaid process, the vigilance clearance certificate in respect of Respondent No. 8 has been called for along

with ACRs/APARs on 05.08.2025, which shows the intent of respondents to promote the Respondent No. 8.

6. We are satisfied that *prima facie* case for interim relief is made out. On the one side, the respondents are taking time to argue the matter and contrary to it, they have initiated the process of promotion to the post of Planning Officer, considering the Respondent No. 8 only eligible candidate.

7. In view of the aforesaid, **MA No. 709/2024** is allowed and as an interim measure, the respondents are restrained from proceeding further with regard to the DPC proceedings for promotion to the post of Planning Officer till the next date of hearing. Modification/amendment in the interim order can be heard on the next day.

8. List the matter on 03.12.2025.

ANJALI BHAWRA
Member (A)

Suresh Kumar Batra
Member (J)

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