

CWP no.12465 of 2016 (O&M) 1

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP no.12465 of 2016 (O&M)

Date of Decision : 29.01.2018

Union Territory, Chandigarh Administration and another

....Petitioner(s)

Versus

The Central Administrative Tribunal and others

...Respondent(s)

**CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR JUSTICE RAJBIR SEHRAWAT**

**Present : Mr.Dinesh Kumar Jhangra, Advocate for
Mr. I.P.S.Doabia, Advocate for the petitioner(s)**

Mr.H.S.Saini, Advocate for respondent no.2

MAHESH GROVER, J.(ORAL)

The original application was filed by the present respondent no.2 questioning the appointment of Administrative Officer through deputation. According to the applicant before the Tribunal such a course was im-permissible if an incumbent from within the Department was available and ripe for promotion. The Tribunal accepted the plea and disposed of the application by observing that even though promotion is not a matter of right but if a candidate is available and fulfills all the requirement his claim ought to be considered. By making these observations, the Tribunal disposed of the application.

The Union Territory Administration, in the present proceedings has questioned the order of the Tribunal but during the interregnum when

these proceedings were pending, the deputation of respondent no.3 was

discontinued. It is stated before us that the process of filling up posts of Administrative Officer is underway and necessary communication is dispatched to the Union Public Service Commission.

If that be so, then we are of the opinion that the present writ petition does not offer any cause or lis for us to determine. Evidently, the petitioner would be at liberty to fill up the posts of Administrative Officer by considering the case of all eligible candidates including the present respondent no.2 in terms of the order of the Tribunal.

In view of above, instant petition is hereby dismissed.

(Mahesh Grover)
Judge

29.01.2018

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Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No

(Rajbir Sehrawat)
Judge