

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

**CWP No. 22246 of 2018
Decided on : 29.10.2018**

Bal Krishan and another

... Petitioner(s)

Versus

Post Graduate Institute of Medical Education and Research,
Sector 12, Chandigarh and others

... Respondent(s)

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE AVNEESH JHINGAN**

PRESENT: Mr. H.S. Saini, Advocate
for the petitioner(s).

AJAY KUMAR MITTAL, J. (Oral)

The prayer made in this writ petition filed under Articles 226/227 of the Constitution of India, is for quashing of the impugned order dated 13th July, 2018 (Annexure P-6), passed by the Central Administrative Tribunal (in short 'the Tribunal'), Chandigarh Bench, Chandigarh in “OA No. 060/00614/CH/2017, titled as 'Bal Krishan and others Vs. PGIMER and others', whereby, the OA filed by the petitioners has been dismissed by the Tribunal, illegally and arbitrarily without considering the legal and factual position and consequently, to allow the “OA No. 060/00614/CH/2017, titled as, 'Bal Krishan and others Vs. PGIMER and others' with costs. A further prayer has been made that during the pendency of the writ petition, the respondents i.e. PGIMER Authorities be restrained from further promotions of the respondents against the next promotional posts of Junior Accounts Officers and also the post of Office Superintendents, which remained stayed during the pendency of the aforesaid OA.

2. Learned counsel for the petitioners submitted that an argument was advanced before the Tribunal that the options of the applicants were not invited for choosing the posts of Head Clerks (HCs)/Divisional Accountants (DAs) and as

such action of respondents was arbitrary. However, after perusal of the case file, we find there is no reference to such a plea in the impugned order.

3. In view of the above, learned counsel for the petitioners states that he may be allowed to withdraw the present writ petition with liberty to approach the Tribunal seeking clarification/review of order dated 13.07.2018.

4. Dismissed as withdrawn. It shall be open to the petitioners to take recourse to remedies in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

(AVNEESH JHINGAN)
JUDGE

October 29, 2018

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No