

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

CWP No.6785 of 2017 (O&M)

Date of Decision: 23.08.2018

Union of India & Ors.

...Petitioners

VS.

CAT & Ors.

... Respondents

**Coram : Hon'ble Mr.Justice Surya Kant
Hon'ble Mr.Justice Sudip Ahluwalia**

Present: Mr. Pankaj Jain, Advocate for the petitioners

Mr. Aman Chaudhary, Advocate for respondents NO.2&3

SURYA KANT J. (Oral)

(1) The controversy in this case pertains to the preparation and maintenance of Roster Register by the petitioner-Department for the purpose of promoting employees belonging to different categories. It is not necessary to dwell upon the need, scope or impact of a Roster Register as it has been aptly explained by the Hon'ble Supreme Court in **RK Sabharwal & Ors. vs. State of Punjab & Ors.,1995 SCC (2) 745** and various other decisions.

(2) In the Original Application filed by the respondents, the Central Administrative Tribunal, Chandigarh Bench, Chandigarh (in short, 'the Tribunal') vide its order dated 05.02.2009 has directed the petitioner-authorities to prepare a fresh Reservation Roster in accordance with Rules/law and complete the exercise in a time bound manner. The direction contained to this extent in para 18 of the impugned order cannot be faulted with except that in the penultimate part of paragraph 17 of the order, learned Tribunal ought not to have expressed any views on merits. Para 17 of the impugned order thus stands modified and the writ petition is disposed of

with a direction to the petitioners that let the fresh Reservation Roster be prepared in accordance with Rules/law as applicable on the subject, within a period of four months from the date of receipt of certified copy of this order.

(3) The order dated 21.11.2016 passed by the Tribunal in the review application also stands modified accordingly.

(Surya Kant)
Judge

23.08.2018

vishal shonkar

(Sudip Ahluwalia)
Judge

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

Yes
No