

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.3457-CAT of 2012 (O&M)

Date of decision: 01.02.2019

Indian Council of Agricultural Research and others

.....Petitioners

versus

M.P. Singh and another

....Respondents

CORAM: Hon'ble Mr. Justice Rajiv Sharma
Hon'ble Mr. Justice Kuldip Singh

Present: Mr. Aman Chaudhary, Advocate
for the petitioners.

Mr. Rohit Seth, Advocate for respondent No.1.

Rajiv Sharma, J.

The petitioners have laid challenge to order dated 20.07.2011 rendered by the learned Central Administrative Tribunal, Chandigarh Bench (Annexure P-5) in Original Application No.514-PB of 2010 (Annexure P-1) vide which the petitioners have been directed to consider the case of respondent No.1 for promotion from T-6 to T-7.

Brief facts necessary for the adjudication of the present petition are that the private respondent was not considered for promotion from T-6 to T-7 on the basis of un-communicated ACRs. Learned Central Administrative Tribunal, Chandigarh Bench relying on the judgment passed in *Dev Dutt vs. Union of India (2008) 8 SCC 725*, allowed the petition, hence, the present petition was filed.

The matter decided in *Dev Dutt vs. Union of India (2008) 8 SCC*

725 was referred to a larger Bench. The fact of the matter is that the Larger Bench has also upheld and concurred with the judgment in *Dev Dutt vs. Union of India (2008) 8 SCC 725*.

Accordingly, the present petition is dismissed.

(RAJIV SHARMA)
JUDGE

(KULDIP SINGH)
JUDGE

01.02.2019
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Whether speaking/ reasoned:
Whether Reportable:

Yes/No
Yes/No