

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

105

CWP-9118-2020

Date of Decision: 03.07.2020

Union of India and others

...Petitioners

Versus

Dr. N. Sathyanarayana and others

...Respondents

**CORAM:- HON'BLE MR. JUSTICE RAJAN GUPTA.
HON'BLE MR. JUSTICE KARAMJIT SINGH.**

PRESENT: Mr. Satya Pal Jain, Senior Advocate,
Additional Solicitor General of India with
Mr. Ashish Rawal, Senior Panel Counsel for the petitioners.

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

RAJAN GUPTA, J. (Oral)

Case has been heard through Video Conferencing in view of
COVID-19 Pandemic.

Notice of motion.

Mr. Rohit Seth, Advocate accepts notice on behalf of
respondent No.1.

Present petition has been preferred by Union of India against
the order dated 17.1.2020 (Annexure P-1) passed by the Central
Administrative Tribunal, Chandigarh Bench, Chandigarh (in short “the
Tribunal”) directing the petitioners to consider the case of respondent No.1
for issuance of vigilance clearance in light of the observations made by it
and if he is found eligible then grant him promotion from the due date with

“16. In the light of the aforesaid discussion, this O.A. is is partly allowed. The respondents are directed to consider the case of the applicant for issuance of Vigilance Clearance, in the light of observations made hereinabove, and consider the case of the applicant in the light of earlier direction of Hyderabad Bench of this Tribunal for the post of APPA against vacancies for the year 2016-17 etc. and if the applicant is found eligible , then grant him promotion from due date with all the consequential benefits...”.

Grievance of Mr. Jain is that complete liberty has not been given to Union of India to decide the issue of vigilance clearance as per law. He submits that he shall be satisfied if necessary modification to this extent is made.

We have given our due consideration to the operative part of the order passed by the Tribunal. Needless to observe that Union of India is always at liberty to take into consideration not only the order of the Hyderabad Bench of the Tribunal but other judgments also. They are at liberty to decide as per law. We order accordingly.

Writ petition is disposed of.

(RAJAN GUPTA)
JUDGE

July 03, 2020
gbs

(KARAMJIT SINGH)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No