

**CENTRAL ADMINISTRATIVE TRIBUNAL
61/35, COPERNICUS MARG, NEW DELHI-110001**

Order Sheet

**Item No: 15
M.A./2802/2020
IN
O.A./1545/2020
[DIRECTION]
Court No.: 1**

**No of Adjournment:
Dated: 04/01/2021**

**PRAVEEN KUMAR
Vs
EMPLOYEES STATE INSURANCE CORPORATION**

FOR APPLICANTS(S) Advocate : Shri Prateek Dhanda

FOR RESPONDENT(S) Advocate : Shri Kumar Rajesh

DAILY ORDER

MA No. 2802/2020 & MA No. 2808/2020

The applicant in OA No. 1545/2020 filed these two MAs.

2. MA no. 2808/2020 is filed with a prayer to allow the amendments in the OA.
3. It is stated that during the pendency of the OA, the respondents published a seniority list dated 14.08.2020 on the basis of the judgment of the Hon'ble Supreme Court in Union of India & Ors. Vs. N.R. Parmar & Ors. (2012) 13 SCC 340. It is stated that by raising the same issue and dispute the OA was filed and despite that a fresh seniority list was published on the same lines. We allow the MA permitting the amendments to the OA. The OA amended OA filed by the applicant shall be taken on record.

4. MA No. 2802/2020 is filed with a prayer to stay the seniority list dated 29.07.2019 in the cadre of Deputy Director up to the vacancy year 2010-11 as well as the subsequent seniority lists.

5. The applicant contends that all the three seniority lists are prepared on the basis of the judgement of the Hon'ble Supreme Court in N.R. Parmar's case (supra), despite the fact that the Hon'ble Supreme Court dismissed the same in a subsequent judgment, and the same no longer hold good.

6. When the OA was taken up for hearing, we did not grant interim relief on the ground that we intend to hear the respondents in this behalf. Six weeks time was granted to the respondents to file reply. Even on the last date of hearing, the reply was not ready. Even now, the respondents did not file their reply. In case, the promotions take place in the meanwhile, serious complications would arise. We, therefore, stay further promotions to the post of Senior Deputy Director on the basis of the three seniority lists mentioned in the prayer in the MA.

7. Let the OA be listed on 21.01.2021, as scheduled earlier.

Pradeep Kumar
Member (A)

Justice L. Narasimha Reddy
Chairman