
(2010) 12 P&H CK 0494
In the Punjab And Haryana At Chandigarh
Case No : CWP No. 20391 of 2010

Dr. Alka Sehgal

APPELLANT

Vs

Union of India (UOI) and Others

RESPONDENT

Date of Decision : 21-12-2010

Acts Referred:

Citation : (2010) 12 P&H CK 0494

Hon'ble Judges : Ritu Bahri, J;M.M. Kumar, J

Bench : Division Bench

Judgement

M.M. Kumar, J.—The instant petition is directed against interlocutory order dated 10.11.2010 (Annexure P-3) passed by the Central Administrative Tribunal, Chandigarh Bench (for brevity "the Tribunal"). The Tribunal has vacated the stay order dated 20.10.2010 (Annexure P-2). The matter is posted for hearing before the Tribunal on 05.01.2011.

2. Mr. D.S. Patwalia, learned Counsel for the Petitioner at the outset states that she would not press for any other relief in the instant petition and would confine her prayer to only one relief, namely, that Respondent No. 6, who is the Director, Government Medical College & Hospital, Sector 32, Chandigarh should not write her ACR till the disposal of the original application, pending before the Tribunal. According to learned Counsel, the written replies by Respondents are awaited and if the replies are filed before the date of hearing i.e. 05.01.2011, then the Tribunal may be able to dispose of the controversy on the date fixed. Defer

3. Mr. Sanjay Kaushal, learned Counsel for Respondents No. 3, 4 & 6 has submitted that ACR of the Petitioner could be written only if she sends self-appraisal report and despite letter written by Respondent No. 6, the self-appraisal report has not been sent, therefore, he states that Respondent No. 6 would not write the ACR of the Petitioner till the disposal of the original application. Mr. Kaushal, further states that the Respondents No. 3, 4 and 6 shall file their reply before the Tribunal on 03.01.2011 with a copy in advance to the learned Counsel for the Petitioner. Mr. I.S. Sidhu and Ms. Rita Kohali, learned

Counsels for Respondents No. 2 and 5 have also made the same statements with regard to filing of written reply before the Tribunal.

4. We dispose of the petition in view of the assurance given by the learned Counsel for Respondents No. 3, 4 & 6 that the writing of ACR shall defer till the disposal of the original application. The Tribunal shall make effort to dispose of the original application on 05.1.2011. However, if on account of some difficulties, the Tribunal could not dispose of the original application on 05.01.2011 then the application shall be disposed of within the month of January, 2011.

5. A copy of this order be given to the learned Counsel for the parties under the signatures of the Bench Secretary today itself and also sent to the Tribunal.