
(2020) 10 CAT CK 0074

In the Central Administrative Tribunal

Case No : Original Application No. 1476 Of 2020

Anita Bimal

APPELLANT

Vs

Union Of India & Others

RESPONDENT

Date of Decision : 07-10-2020

Acts Referred:

Administrative Tribunals Act, 1985 — Section 19

Citation : (2020) 10 CAT CK 0074

Hon'ble Judges : A.K. Bishnoi, Member (A), R.N. Singh, Member (J)

Bench : Division Bench

Advocate : Rajinder Nischal, Mayur Singal

Final Decision : Disposed Of

Judgement

R.N. Singh, Member (J)

1. The present Application has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:-

"a. Direct respondent No. 2- ITDC to treat the period spent by the applicant in President's Secretariat as period spent in continuity in service and grant the applicant difference of dues already paid at the time of her superannuation with interest;

b. Direct respondent No. 2-ITDC to convene revue DPC for the post of General Manager in Respondent No. 2 organization, and consider the applicant for promotion to the post of General Manager and further grant all the consequential benefits which would have accrued to her had she not proceed on deputation/absorption in President's Secretariat.

c. Pass any other relief that this Hon'ble Tribunal may consider fit in the interest of justice."

2. Shri Nischal, learned counsel for the applicant submits that for redressal of her grievance, the applicant has preferred a representation before the competent

authority and finally the respondent no.1 vide letter dated 23.6.2020 (Annexure A/15) has required the respondent no.2 to take a final decision in the matter. Shri Nischal, learned counsel for the applicant further submits that in spite of the aforesaid communication dated 23.6.2020, no decision has been taken by respondent no.2 in the matter.

3. Issue notice.

4. Shri Mayur Singal, learned proxy counsel for Shri Karunesh Tandon, learned counsel for the respondents, who appears on advance service, accepts notice.

5. At this stage, Shri Niscal, learned counsel for the applicant submits that the applicant shall be satisfied if the OA is disposed of at this very stage with direction to the respondent no.2 to consider the applicant's pending representation and to dispose of the same by passing an appropriate reasoned and speaking order in a time bound manner.

6. In the facts and circumstances, we are of the considered view that if such a request of learned counsel for the applicant is acceded to, no prejudice is likely to be caused to the respondents.

7. In view of the aforesaid, without going into the merit of the claim of the applicant, the present OA is disposed of with direction to the respondent no.2 to consider the applicant's pending representation and to dispose of the same by passing an appropriate reasoned and speaking order as expeditiously as possible and in any case within 12 weeks from the date of receipt of a copy of this Order.

8. The OA is disposed of in the aforesaid terms. No order as to costs.