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Central Administrative Tribunal, Principal Bench

Original Application No. 1775 of 2002

New Delhi, this the 12th day of January, 2004

Hon'ble Mr. Justice V.S. Aggarwal, Chairman  
Hon'ble Mr. S.K. Naik, Member (A)

Dr. (Smt.) Nisha Sahai Achuthan, IAS (UP-68)  
R/o 90, Sebonac Inlet Road, Southampton, U.S.A.  
(Ex-Member Secretary in National Commission  
for Women, 4, Deen Dayal Upadhyaya Marg, Delhi)  
(Reverted to Govt. of UP on 4.7.2002,  
and is currently on leave in USA)

....Applicant

(By Advocate: Shri S.S. Tiwari)

Versus

1. Union of India, through  
The Secretary,  
Department of Personnel & Training,  
Ministry of Personnel, Public Grievances  
and Pensions,  
North Block, New Delhi
2. Chief Secretary,  
Govt. of UP, Annexe Building,  
Uttar Pradesh Govt., Secretariat,  
Lucknow
3. Shri Babu Ram, IAS (Retd.) (U.P.-1969)  
Service through  
Respondent no. 2

....Respondents

(By Advocate: Shri Surendra Kumar, for respondent 1  
Shri Anuvrat Sharma, for respondent 2)

ORDER (ORAL)

By Justice V.S. Aggarwal, Chairman

The applicant had joined the Indian Administrative Service in the year 1968. We are informed that for the post of the Principal Secretary to the Government of Uttar Pradesh, her claim was ignored from the year 1993 onwards. The applicant had taken voluntary retirement in the year 2003.

2. During the course of submissions, it was pointed that presently the instructions have been re-drafted and the Departmental Promotion Committee has to grade the

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concerned persons as fit or unfit for promotion rather than strictly going by the confidential dossiers that were earlier being recorded. It is in this backdrop that we are informed that the claim of the applicant can be directed to be considered in pursuance of the said instructions dated 8.2.2002.

3. Accordingly, without expressing anything on the merits of the present application, we dispose of the present O.A. with a direction to the respondents to consider the claim of the applicant in the light of the instructions dated 8.2.2002. With these directions, the O.A. is disposed of.

Naik  
( S.K. Naik )  
Member (A)

Ag  
( V.S. Aggarwal )  
Chairman

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