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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.3098/2001

Tuesday, this the 13th day of November, 2001

Hon'ble Shri S.A.T. Rizvi, Member (A)

Mrs. Jyotsna Sharma
W/O Mr. Sudhir Sharma
C/O Mrs. Sarika Mahendro
M-44, Pratap Nagar
Delhi-7.

..Applicant

(By Advocate: Ms. Shilpa Chauhan)

Versus

1. Director
Indian Agricultural Research Institute
Pusa Road
New Delhi-12.
2. Project Director
National Research Centre on Plant Biotechnology
Indian Agricultural Research Institute
New Delhi-12.

..Respondents

O R D E R (ORAL)

Heard the learned counsel for the applicant.

2. The applicant was appointed in the temporary position of Post Doctoral Fellow on remuneration @ Rs. 10500/- PM (fixed/consolidated) under the Scheme/Project entitled Post Doctoral Programme in Agricultural Biotechnology for a period of one year in the first instance subject to the ^{2 term} ~~appointment~~ being extended on fulfilment of certain conditions.

3. The aforesaid offer was made by the respondents by their Office Memorandum dated 24.5.1999 (Annexe A-1). The applicant joined the aforesaid position on 31.5.1999 as reflected in the office order dated 7.7.1999 (Annexure A-2). She proceeded on maternity leave from 27.12.1999 to 9.5.2000 which she sought to be extended upto 28.5.2000. On her return from maternity leave on

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28.5.2000, she was not allowed to join. The applicant did not receive any order sanctioning the aforesaid maternity leave or its extension. A representation dated 8.8.2000 (Annexure A-4) filed by her yielded a reply dated 29.8.2000 (Annexure A-5) informing her that her request in the matter was still under consideration of the competent authority and a decision as and when taken will be intimated to the applicant. In the absence of any action, as promised by the respondent-authority, the applicant served a legal notice dated 19.2.2001 (Annexure A-6) which succeeded in eliciting a reply dated 16.3.2001 (Annexure A-7) stating that the matter concerning the ~~statement~~ ^{settlement} of her claim for salary from 1.3.2000 onward will be considered subject to the applicant supplying certain information/documents mentioned in the same letter. The learned counsel submits that the desired documents were supplied to the respondent-authority soon thereafter. Again, there is no response from the respondent-authority though the applicant has submitted two further representations dated 2.4.2001 and 2.7.2001. The applicant has been paid emoluments only upto February, 2000.

4. I have considered the submissions made by the learned counsel and the aforestated facts and circumstances and find that the ends of justice will be duly met in the present OA by directing the respondent-authority at this very stage even without issuing notices to consider the matter in the light of the various representations made by the applicant expeditiously and pass a reasoned and a speaking order

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latest by December 31, 2001. While considering the applicant's claim, the respondent-authority will take into consideration all that has been stated by her in the present OA, a copy of which will be supplied to the respondent-authority.

5. The present OA is disposed of at the admission stage itself. No costs.

6. Registry is directed to send a copy of the OA along with this order to the respondents.



(S.A.T. Rizvi)
Member (A)

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