



## Central Administrative Tribunal Principal Bench, New Delhi

MA No.2252/2020

Today, this the 1<sup>st</sup> day of December, 2020

Through video conferencing

**Hon'ble Justice L. Narasimha Reddy, Chairman**  
**Hon'ble Mr. A.K. Bishnoi, Member (A)**

Nidhi Malik  
D/o Shri Devender Singh Malik  
W/o Shri Devesh Kumar Mahla  
Aged 30 years  
R/o ADM-G Bungalow  
Circuit House Complex, Krishnanagar-741101  
Nadia, West Bengal.

(Presently posted as:  
Additional District Magistrate (General)  
Nadia, West Bengal)

..Applicant

(Through Shri Ashutosh Ghade, Advocate)

Versus

1. Union of India  
Through Secretary  
Department of Personnel and Training  
Ministry of Personnel, P.G. and Pensions  
Government of India  
North Block, New Delhi-110001.
2. State of West Bengal  
Through the Chief Secretary  
Government of West Bengal  
Nabanna, Howrah-711102  
West Bengal.

..Respondents

(Through Shri Hanu Bhaskar, Advocate)

## ORDER (Oral)

**Justice L. Narasimha Reddy:**



The applicant is an IAS officer of West Bengal cadre. She made a request to the concerned authorities to change her cadre to AGMUT, on the ground that she married to an IPS officer of that cadre. The request was rejected by the State of West Bengal, through an order dated 25.05.2016. The applicant intends to challenge the said order. Since there is a delay of 1256 days, she filed this MA with a prayer to condone the delay.

2. The applicant contends that she could not file the OA in time, on account of various developments that are referable to her family life. It is also stated that in the recent past, the Covid situation has also contributed to that.

3. We heard Shri Ashutosh Ghade, learned counsel for applicant and Shri Hanu Bhaskar, learned counsel for respondents at length and perused the pleadings.

4. The delay involved is more than 3½ years. It need strong and acceptable reasons. The applicant is an IAS officer and she is said to have faced serious family problems. However, in the context of filing the OA to



challenge the order of rejection of request for change of cadre, the various reasons mentioned in the application hardly constitute a valid ground for condonation, such a long delay. We are not convinced. Added to that, the applicant is said to have made a fresh application seeking transfer of the cadre. She can pursue the remedies in that behalf. The MA is accordingly rejected.

**(A.K. Bishnoi)**  
**Member (A)**

**(Justice L. Narasimha Reddy)**  
**Chairman**

*/pj/jyoti/rk/sd*