

(OPEN COURT)

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad this the 02nd day of March, 2005.

Original Application No. 339 of 2004.

Hon'ble Mr. Justice S.R. Singh, Vice-Chairman.

Hon'ble Mr. S.C. Chaube, Member- A.

Dr. (Smt.) Kumud Tandon a/a 62 years,
Wife of Dr. Gopal Ji Tandon,
R/o 1115-C, Malviya Nagar, Kalyanidevi,
Allahabad-211003.

.....APPLICANT

Counsel for the applicant :- Sri P.C. Shukla

V E R S U S

1. Union of India through under Secretary,
to the Government of India, CGHS, 11 Section,
M/o Health and Family Welfare (Department of
Health), Nirman Bhawan, New Delhi-110011.
2. Under Secretary to the Government of India,
CGHS V/1 Section, M/o Health and Family
Welfare, (D/o Health), Nirman Bhawan,
New Delhi- 110011.
3. The Director, Central Government Health
Services (CGHS), Nirman Bhawan,
New Delhi.
4. The Additional Director, Central Govt.
Health Services, 2nd Floor, Sangam Place,
Civil Lines, Allahabad.

..... RESPONDENTS

Counsel for the respondents :- Sri Saumitra Singh



O R D E R

By Hon'ble Mr. Justice S.R. Singh, VC.

The applicant retired on superannuation as Junior Medical Officer, CGHS, Allahabad w.e.f 31.07.2002. The instant original application had been instituted on 22.03.2004 for the following reliefs :-

a). to pass the order or direction to the respondents to promote the applicant notionally and treat her on the post of Senior Medical Officer from February 1996 to January 2002 and on the post of Chief Medical Officer from February 2002 till retirement dated 31.07.2002 as other employee are in the similar circumstances treated and promoted according to law.

b). to pass the order or direction to the respondents to pay the pension to the applicant treating her as retired from the post of Chief Medical Officer from CGHS Dispensary, Allahabad.

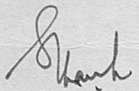
c). to pass the order to pay the salary in terms of arrear of salary for the post of Senior Medical Officer from February 2002 to till the retirement dated 31.07.2002.

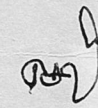
2. Though the applicant has approached the Tribunal with inordinate delay, it is admitted by the respondents that the applicant's claim for promotion is under consideration and ,in case she is found fit for promotion, she would be given the promotion due to her. In paragraph 13 of the counter affidavit it has been stated that the applicant's case for promotion is ready for consideration by the DPC and she would be promoted, if she is found fit by the DPC and in paragraph 14 it is stated that the applicant is likely to be considered by the DPC for promotion soon. In the circumstances it is not necessary to go into the

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details of the case nor ² ~~only~~ ² ~~only~~ consider it necessary to go into the question of delay in filing the O.A. ^{for 2} we are of the view ^{it} it would meet ^{the} ends of justice if the O.A is disposed of with direction to the respondents to take appropriate decision in respect of the applicant's claim for promotion, if necessary, by holding a DPC within a period of four months from the date of production of copy of this order.

3. The O.A stands disposed of with the above terms. No costs.


MEMBER-A.


VICE-CHAIRMAN.

/ANAND/