

**Central Administrative Tribunal
Principal Bench, New Delhi**

O.A. No.947/2020

This the 25thday of June, 2021

(Through Video Conferencing)

**Hon'bleMr.A.K. Bishnoi, Member (A)
Hon'bleMr.R.N. Singh, Member (J)**

Harsh Lata Saxena
D/o Late Shri Vishun Sahai Saxena,
R/o 148/6, Bhim Nagar,
Sonipat, Haryana – 131001
Aged about 56 years,
(Group 'B') (Teacher)

...Applicant

(By Advocate: Shri Ajesh Luthra)

VERSUS

1. North Delhi Municipal Corporation
Through its Commissioner,
4th Floor, Dr. S.P.M. Civic Centre,
JLN Marg, New Delhi – 110002
2. The Director,
Education Department,
North Delhi Municipal Corporation,
Education Department Headquarter,
15th Floor, Dr. SPM Centre,
JLN Marg, New Delhi – 2
3. Asst. Director of Education
Keshav Puram Zone,
C-7 Suraj Kunj, Keshav Puram
Delhi – 35
4. MC Primary School
Through its Principal
Birla Lines, Kamlा Nagar, Delhi – 7.

...Respondents

(By Advocate: Shri Manjeet Singh Reen)





ORDER (Oral)

Hon'ble Mr. R.N. Singh, Member (J):

In the present OA, the applicant has challenged the order dated 19.03.2020 (Annexure A/1), vide which the respondents have retired the applicant w.e.f. 01.04.2020.

2. Pursuant to the notice from this Tribunal, respondents have filed their counter reply and with such reply, respondents have annexed a copy of the Office Order dated 09.11.2020 (Annexure R-1), whereby they have cancelled the order, impugned in the OA.

3. In view of the aforesaid, we are of the considered view that in view of the respondents' Office Order dated 09.11.2020, substantial relief has already been accorded to the applicant during the pendency of the OA. However, Mr. Luthra, learned Advocate submits that in view of the Office Order dated 09.11.2020, respondents have not passed any order qua the salary, pay and perks of the applicant during the intervening period except that they have released the pay to the applicant for the period from 09.11.2020 to 31.12.2020. He further adds that though in pursuant to the Office Order dated 09.11.2020, the applicant has re-joined the service of the respondents and had been discharging her duties, however, no salary has been paid to her.

4. In view of the aforesaid facts and circumstances, the present OA is disposed of with direction to the respondents to pass an



appropriate order with regard to pay and perks of the applicant for the intervening period and also about the seniority of the applicant, taking into account the Office Order dated 09.11.2020, as expeditiously as possible and in any case within six weeks of receipt of a copy of this order.

5. OA stands disposed of in the aforesaid terms. No order as to costs.

(R.N. Singh)
Member (J)

(A.K. Bishnoi)
Member (A)

/akshaya/pinky/arti/