



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

O.A. No.1779/2021

This the 24th day of August, 2021

Through Video Conferencing

**Hon'ble Ms. Manjula Das, Chairman
Hon'ble Mr. Mohd. Jamshed, Member (A)**

Mrs. Sujata Malik,
Aged – 53 years,
G – 18/46, 2nd Floor,
Sector – 15, Rohini,
Delhi – 110085.

...Applicant

(By Advocate: Mr. Raman Kumar)

Versus

The Commissioner,
North Delhi Municipal Corporation,
E – 1, Block, Dr. SPM Civic Centre,
JLN Marg, New Delhi – 110002.

...Respondent

(By Advocate: Mr. R.V. Sinha)

ORDER (ORAL)

Hon'ble Ms. Manjula Das:

This O.A. is filed by the applicant under Section 19 of Administrative Tribunals Act, 1985, seeking the following reliefs:

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- (i) That the Hon'ble Tribunal may graciously be pleased to pass an order by directing the Respondent to comply with the terms of the office order bearing no. ASO (VIII)/CED/NDMC/2021/GF-09/2269 dated March 12, 2021 (**ANNEXURE A/1) COLLY**) and appoint the Applicant to the post of Additional Director (Education) by issuing the appointment letter to the Applicant.
- (ii) That the Hon'ble Tribunal may graciously be pleased to pass an order by directing the Respondent that all benefits in terms of salary, seniority and other benefits if any, will be applicable on the Applicant from the date of office order March 12, 2021.
- (iii) That the Hon'ble Tribunal may graciously be pleased to pass an order declaring to the effect that the act of the Respondent by not signing and giving required approval so that office order bearing no. ASO(VIII)/CED/NDMC/2021/GF-09/2269 dated March 12, 2021 be complied with Directorate of Education for the withdrawal of circular is no-nest and void ab-initio.
- (iv) Any other relief which the Hon'ble Tribunal deem fit and proper may also be granted along with the costs of litigation.

2. The applicant is working as Deputy Director (Education) in the North Delhi Municipal Corporation (North DMC). The applicant, along with 5 others, was promoted to the post of Additional Director (Education) on *ad hoc* basis, vide order dated 12.03.2021. Her grievance is that while the officers, who were promoted in East Delhi Municipal Corporation (East DMC) and South Delhi Municipal Corporation (South DMC), were issued

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appointment orders, the applicant, who was promoted in North DMC, has not been issued any order of appointment till date.

3. In this regard, the applicant made several representations, ventilating her grievance, the last of which is dated 14.07.2021, but no action has been taken thereon by the respondent so far.

4. We heard Mr. Raman Kumar, learned counsel for applicant and Mr. R.V. Sinha, learned counsel for the sole respondent, at the stage of admission.

5. From the perusal of record, it is clear that the applicant has submitted repeated representations to seek implementation of order dated 12.03.2021, through which she was promoted to the post of Additional Director (Education). However, the respondent – North DMC has not responded to any of them. Hence, learned counsel for applicant prays for consideration of representations of the applicant by the respondent in a timeframe, to which the learned counsel for respondent raised no objection.

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6. In this view of the matter, the O.A. is disposed of, directing the respondent to decide the representations, including the one dated 14.07.2021, by passing a speaking order as early as possible or in any case within six weeks from the date of receipt of a copy of this order, under intimation to the applicant. It is made clear that we have not expressed any opinion on the merits of the matter.

There shall be no order as to costs.

(Mohd.Jamshed)
Member (A)

(Manjula Das)
Chairman

August 24, 2021
/sunil/jyoti/mbt/dd