

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION NO.1202 OF 2002
FRIDAY, THIS THE 11TH DAY OF OCTOBER, 2002

HON'BLE MAJ. GEN. K.K. SRIVASTAVA, MEMBER-A
HON'BLE MRS. MEERA CHHIBBER, MEMBER-J

Smt. Kanti Sharma
aged about 50 years
wife of late Shri V.D. Sharma,
resident of 36/31, Prem Ganj,
Sipri Bazar,
Jhansi.

..... Applicant

(By Advocate Shri R.K. Nigam)

Versus

1. Union of India
through Secretary Agriculture,
Govt. of India,
New Delhi.
2. Indian Council of Agricultural Research,
Krishi Bhawan, Dr. Rajendra Prasad Road,
New Delhi-110001 through its Chairman.
3. Director, Indian Grassland and Fodder
Research Institute,
Gwalior Road, Jhansi. Respondents

(By Advocate Shri B.B. Sirohi)

ORDER

MAJ. GEN. K. K. SRIVASTAVA, MEMBER-A

In this O.A. filed under section 19 of the
A.T. Act, 1985, the applicant has prayed the following
reliefs:-

"(i) to issue a writ, order or direction in the
nature of mandamus thereby commanding the
respondents to promote the petitioner as
Assistant in grade Rs.5500-9000 against the
upgraded post at Jhansi itself vice the vacancy
caused by Shri Veerkar with all consequential
benefits for which a time bound direction is
solicited.


(ii) to issue any other suitable order in favour
of the humble petitioner as deemed fit by this
Tribunal in the facts and circumstances of the
case.

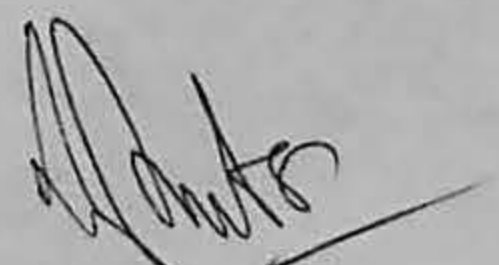
(iii) to award cost of the petition in favour
of the humble petitioner."

2. The facts, in brief, giving rise to this O.A. are that the applicant working as Senior Clerk has been promoted as Assistant w.e.f. 12.09.2002 by the impugned order dated 16.09.2002 (Annexure 1-B). Shri R.K. Nigam, the learned counsel for the applicant submitted that the post of AAO has become available at Jhansi w.e.f. 12.09.2002 as by the same order Shri G.P. Veerkar who was Assistant has been promoted. The case of the applicant for appointment as AAO is also in the final stage and is likely to be decided within a short period. The applicant has filed the representations before the respondent no.3 on 18.09.2002 and 21.09.2002, which have been annexed as Annexure nos. 12 and 13 of the O.A.

3. The applicant's counsel has submitted that in the interest of justice it would be appropriate if a direction is given to the respondents to decide the representations of the applicant within a specified period of time, so that the applicant is saved from moving again from place of posting, which is Avikanagar to the place she is likely to be posted. The respondent counsel has no objection if a direction is given to the respondents to decide the representations of the applicant.

4. In the facts and circumstances of the case, the O.A., is finally disposed of with a direction to the respondent nos. 2 and 3 to decide the representations of the applicant within a period of three months from the date of receipt of a copy of this order, by a reasoned and speaking order. Till such time the representations are decided we direct the respondents that the applicant should be allowed to continue at Jhansi. No costs.


Member-J


Member-A

/Girish/