

3

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

O.A. No.567 of 2010

Dr.Ketaki Mohapatra Applicant
Versus
Union of India & Others Respondents

1.Order dated the 24th September, 2010.

C O R A M

THE HON'BLE MR.M.R.MOHANTY, VICE-CHAIRMAN (J)

AND

THE HON'BLE MR.C.R.MOHAPATRA, MEMBER (A)

On being mentioned by Mr. D.P.Dhalsamanta, Learned Counsel for the Applicant [in presence of Mr.Subasis Mishra, Learned Additional Standing Counsel for the Government of India], this matter is taken up today. Heard them at length and perused the materials placed on record.

2. According to the Applicant she is working as Junior Lecturer in the Rastriya Sanskrit Sansthan, Puri under the Ministry of Human Resources Development Department of Education, Sastry Bhawan, New Delhi-110 001. In this Original Application filed under section 19 of the A.T. Act, 1985 her prayer is to direct the Respondents to appoint/promote her as Lecturer in Hindi w.e.f. 1982 i.e. the date she was appointed as Junior Lecturer with all service & Financial benefits accrued thereof within a specified time. Her stand is that similarly situated employees have already got the said benefit pursuant to the order of the Hon'ble High Court of Kerala under Annexure-A/8 and the order of the Hon'ble Apex Court under Annexure-A/9. But despite repeated representations her grievance has not yet been redressed by the authority in other words, she virtually claims extension of the benefit of

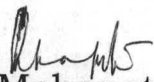
L

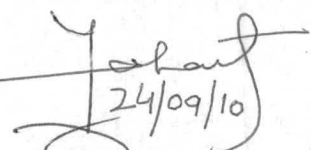
4

the decisions rendered by the Hon'ble High Court of Kerala (Annexure-A/8) & the Hon'ble Apex Court under Annexure-A/8. Her claim is that as per the decisions of the Hon'ble Apex Court rendered in the cases of **Union of India and others v K.C. Sharma, 2008(2) SCC (L&S) 783** and in the case of **Maharaj Krishna Bhatt and another v State of Jammu and Kashmir, 1997 (7) SCC 721**, she is entitled to the relief claimed in this OA. As it appears, claiming grant of the relief as claimed in this OA pursuant to the order under AnnexureA/8 & A/9 the applicant submitted a representation under Annexure-A/11; which according to the Learned Counsel for the Applicant has not yet been disposed of.

3. Hence without expressing any opinion on the issue, we dispose of this OA with the hope and trust that the Respondent No.1 will consider and redress the grievance of the applicant keeping in mind the orders under Annexure-A/8 & A/9 and communicate the decision to the Applicant in a reasoned order as expeditiously as possible, as the applicant is on the verge of retirement.

Send copies of this order along with copy of the OA to the Respondent No.1 and free copies of this order be handed over to learned counsel for both sides.


(C.R. Mohapatra)
Member (Admn.)


24/09/10
(M.R. Mohanty)
Vice-Chairman (J)