

In the Central Administrative Tribunal,

Patna Bench : Patna.

O.A. No. 344 of 1996

Date of order : 30.08.1996

Dr. (Mrs) Monika Singh Applicant.

Versus

Union of India & Ors. Respondents.

Counsel for the applicant : Shri A. Kumar.

CORAM : Hon'ble Shri N.K. Verma, Member (A)

O R D E R

Hon'ble Shri N.K. Verma, Member (A) :-

Heard Shri A.Kumar, the learned counsel for the applicant. In this OA the agitation is regarding promotion of the applicant to the level of Divisional Medical Officer (In short DMO) after completion of four years of appointment as ADMO. The applicant was appointed as ADMO on 4.11.1986 and thereafter she was eligible for promotion as DMO on 4.11.1990. However, she was promoted as DMO on 26.7.93 as she was not found suitable for promotion to the post of DMO on 4.11.1990. It is the applicant's statement that she was on leave for three years with effect from 19.10.1987 to 14.1.1990 on account of pregnancy and after having given birth to a child and also continued ailment which was duly supported by the medical

certificate. After conclusion of the medical leave she rejoined as Assistant Medical Officer at Sonepur on 15.1.1990.

2. The applicant has not shown the order by which she was appointed as ADMO which entitles her to promotion after four years from the date of initial joining service. The rules of recruitment for the post of ADMO have also not been annexed to this OA nor has the learned counsel for the applicant produced it for my perusal, which will give the applicant a *prima facie* case for admission of the matter and adjudication thereof. During the course of argument, Shri A.Kumar stated that the applicant was appointed by the Rly. Board and the Annexure-7 by which representation dated 15.12.94 has been rejected is from the office of the General Manager, N.E. Rly., Gorakhpur. She still has chance to represent against this order to the Rly. Board for seeking redressal of her grievances. She must exhaust departmental remedy available to her before approaching this Tribunal. At this stage the OA is not maintainable and is accordingly dismissed.

N.K. Verma
(N.K. Verma)
Member (A)