

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

Original Application No: 972/97

Date of Decision: 5.6.1998

Smt. J.N. Rohekar

Applicant.

Shri B.S. Sane

Advocate for
Applicant.

Versus

National Informatics Centre & Ors.
Respondent(s)

Shri J.P. Deodhar

Advocate for
Respondent(s)

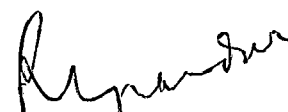
CORAM:

Hon'ble Shri. Justice R.G. Vaidyanatha, Vice Chairman

Hon'ble Shri. D.S. Baweja, Member (A)

- (1) To be referred to the Reporter or not?
- (2) Whether it needs to be circulated to other Benches of the Tribunal?


(D.S. BAWEJA)
MEMBER (A)


(R.G. VAIDYANATHA)
VICE CHAIRMAN

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI

OA.NO. 972/97

Friday this the 5th day of June, 1998

CORAM: Hon'ble Shri Justice R.G.Vaidyanatha, Vice Chairman
Hon'ble Shri D.S.Baweja, Member (A)

Smt. Jyotsna Navendu Rohekar,
Scientist/Engineer 'SC',
(Class I Officer) working in
National Informatics Centre,
Government of India,
C.G.O. Complex, Belapur,
Navi Mumbai.

By Advocate Shri B.S.Sane

... Applicant

V/S.

1. Director General & Special
Secretary to the Govt. of India,
National Informatics Centre,
C.G.O. Complex, Lodi Road,
New Delhi.
2. Senior Technical Director,
NIC, Udyog Bhavan,
Ganesh Khind Road, Pune.
3. Technical Director,
Shri P.D. Ubale,
NIC, Udyog Bhavan,
Ganesh Khind Road,
Pune.
4. Deputy Director,
Shri S.D. Gaikwad,
NIC, Udyog Bhavan,
Ganesh Khind Road,
Pune-411 007.

By Advocate Shri J.P. Deodhar

... Respondents

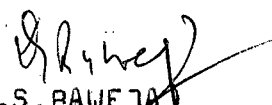
O R D E R


(Per: Shri Justice R.G.Vaidyanatha, VC)

This is an application filed by the
applicant praying that all the allegations made
by the respondents should be ordered to be withdrawn,
that the respondents should not victimise the applicant
and applicant's pending increments be ordered to be
paid to her. Respondents have filed reply. We have
heard the learned counsel appearing on both sides.

2. As far as applicant's grievance about non payment of increments is concerned, it is now submitted that the applicant has received all the increments. The only grievance is that the memos issued by the superior officials may affect her working and amounts her victimisation. In our view, there is no cause of action as of today. Even if some superior officials have issued memos, that have not affected the applicant either financially or otherwise. If and when the applicant is aggrieved by any action taken by the administration regarding promotion, service conditions, monetary benefits etc., then she can approach this Tribunal. This Tribunal is not constituted as an appellate forum to decide every service disputes. This Tribunal cannot sit in appeal over day to day functions of every department. The Tribunal is given power of judicial review on orders passed by the administration. But in this case, if the superior official has given some memos making some allegations but if as a result of those memos, the service conditions of the applicant affected, then she is eligible to approach this Tribunal for redressal of her grievance. Hence, the OA. is liable to be rejected.

3. In the result, the OA. is rejected at the admission stage. However, this order is without prejudice to the applicant to approach this Tribunal for any ^{her} relief if and when service condition is affected by any order of the department. In view of this, the M.P.No. 263/98 does not survive and is rejected. No costs.


(D.S. BAWEJA)
MEMBER (A)


(R.G. VAIDYANATHA)
VICE CHAIRMAN