

**THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR
ORDER SHEET**

APPLICATION NO.: _____

Applicant (S)

Respondent (S)

Advocate for Applicant (S)

Advocate for Respondent (S)

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

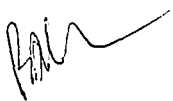
10.09.2009

OA No. 394/2009

Mr. Amit Mathur, Counsel for applicant.

Heard learned counsel for the applicant.

For the reasons dictated separately, the OA is disposed of


(B.L. KHATRI)
MEMBER (A)


(M.L. CHAUHAN)
MEMBER (J)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH

Jaipur, this the 10th September, 2009

ORIGINAL APPLICATION NO. 394/2009

CORAM:

HON'BLE MR. M.L. CHAUHAN, JUDICIAL MEMBER
HON'BLE MR. B.L. KHATRI, ADMINISTRATIVE MEMBER

Sudha Gupta wife of Shri A.K. Gupta, aged about 59 years, resident of B-88, Saket Colony, Adarsh Nagar, Jaipur. Presently working as Director Doordarshan Kendra, Jaipur (Rajasthan).

.....APPLICANT

(By Advocate: Mr. Amit Mathur)

VERSUS

1. Union of India through its Secretary, Information & Broadcasting, Shastri Bhawan, New Delhi.
2. Director General, Doordarshan, Doordarshan Bhawan, Copernicus Marg, New Delhi.
3. Chief Executive officer, Prasar Bharti Secretariat, IInd Floor, PTI Building, Sansad Marg, New Delhi.
4. Shri B.B. Parmar, Senior Director, Doordarshan Kendra through Director General, Doordarshan, Doordarshan Bhawan, Copernicus Marg, New Delhi.

.....RESPONDENTS

(By Advocate : -----)

ORDER (ORAL)

The applicant has filed this OA thereby praying for the following reliefs:-

- (i) the respondents may be directed to decide the representation of the applicant immediately and thereafter promote the applicant to the Junior Administrative Grade and further allowed her selection grade. The orders by which the person junior to the applicant has been promoted may further be quashed and set aside.

- (ii) Any other appropriate relief, which this Hon'ble Tribunal may feel proper in the facts and circumstance of this case, may kindly be allowed."

2. The grievance of the applicant is that a person junior to her was promoted in the Junior Administrative Grade. Learned counsel for the applicant submits that respondent no. 4 has since retired as such, the applicant could have also been promoted in the Junior Administrative Grade against the vacancy, which has fallen vacant on account of retirement of respondent no. 4. It is further argued that applicant has also made representation dated 04.07.2008 (Annexure A/5) and another representation dated 25.05.2009 (Annexure A/7) but the same have not been decided so far. Learned counsel for the applicant has also drawn our attention to letter dated 04.06.2009 (Annexure A/8) whereby representation of the applicant dated 25.05.2009 has been forwarded to the Deputy Secretary (BA P), Ministry of Information & Broadcasting, A Wing, Shastri Bhawan, New Delhi by the Under Secretary to the Government of India, New Delhi.

3. We have heard the learned counsel for the applicant at admission stage. Learned counsel for the applicant submits that the applicant is retiring on superannuation on 30.11.2009 and further argued that he will be satisfied at this stage if time bound direction is given to the respondents to decide the representation of the applicant.

4. We have given due consideration to the submission made by the learned counsel for the applicant. Since the applicant is retiring on 30.11.2009 on superannuation and she is aggrieved by her non promotion to the post of Junior Administrative Grade, we are of the view that it will be in the interest of justice if time bound direction to given to the respondents to decide the representation of the applicant. Accordingly, Deputy Secretary (BA P), Ministry of Information & Broadcasting, A Wing, Shastri Bhawan, New Delhi, to

whom the representation of the applicant has been forwarded by the Under Secretary to the Government of India, shall take decision on the representation of the applicant within a period of four weeks from the date of receipt of a copy of this order and pass appropriate order. The Registry is also directed to send copy of this order to Deputy Secretary (BA P), Ministry of Information & Broadcasting, A Wing Shastri Bhawan, New Delhi 110 001.

5. With these observations, the OA is disposed of.


(B.L. KHATRI)
MEMBER (A)


(M.L. CHAUHAN)
MEMBER (J)

AHQ