

**Central Administrative Tribunal
Principal Bench**

OA No.190/2018

New Delhi, this the 2nd day of February, 2018

Hon'ble Mr. V. Ajay Kumar, Member (J)
Hon'ble Ms. Nita Chowdhury, Member (A)

Smt. Nisha Gupta, PA 'A' in LASTEC in DRDO, Group C,
W/o Vipin Gupta,
House No.1926, M.S. Block,
Near Hari Mandir,
Timar Pur-110054.

...Applicant

(By Advocate : Shri Amarendra Kumar Dubey)

Versus

1. Union of India,
Through
The Secretary,
Ministry of Defence,
South Block, New Delhi.
2. Director,
Directorate of Human Resource and Development
Defence Research & Development Organization,
Ministry of Defence, DRDO Bhawan,
Raja Ji Marg,
New Delhi-110011.
3. Director General DRDO,
DRDO Headquarters, Raja Ji Marg,
New Delhi-110005.
4. Director,
Laser Science and Technology Centre (LASTEC),
DRDO, Ministry of Defence, Metcalfe House,
Delhi-110054.

...Respondents

(By Advocate : Shri R.K. Sharma)

ORDER (ORAL)

Mr. V. Ajay Kumar, Member (J) :-

Heard the learned counsel for applicant.

2. The applicant has filed the instant OA seeking the following reliefs :-

- “a. Direct the Department to take appropriate action for promotion to the Applicant by conducting Review DPCs, as per SRO (SRO No.12E dated 29.05.1998).
- b. Declare that the action of the respondents in rejecting the request of the applicant for promotion is arbitrary, illegal, capricious, lacking bonafides and unsustainable in the eyes of law;
- c. Direct the respondents to forthwith pay all arrears/amounts to the applicants with interest at least @ 18% per anum for the forgone income from the due dates of promotion till the date of actual payment to the applicant and also award suitable compensation to the applicant for harassment and inconvenience since date of promotion.
- d. Direct the respondents to give all consequential benefits to the applicants on the basis of the afore-stated prayers.”

3. It is submitted that though the earlier representations of the applicant were rejected in the year 2015, but in view of the decisions of this Tribunal (Annexure-A/7) which are subsequent to the said rejection but relating to the same issue, the applicant made number of representations and also got issued Legal Notice vide

Annexure-A/1 dated 06.12.2017, seeking extension of the benefit of the said decisions, however, no orders have been passed thereon by the respondents till date.

4. In the circumstances, OA is disposed of without going into the merits of the case, with a direction to the respondents to decide the Annexure-A/1 Legal Notice dated 06.12.2017 of the applicant, by passing a reasoned and speaking order within a period of 90 days from the date of receipt of a certified copy of this order, in accordance with law. No costs.

5. Let a copy of the OA be enclosed to this order.

(Nita Chowdhury)
Member (A)

(V. Ajay Kumar)
Member (J)

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