

**Central Administrative Tribunal
Principal Bench**

**CP-418/2014 in
OA-3193/2012
MA-175/2018
MA-301/2017
MA-1360/2017
MA-2144/2017**

New Delhi, this the 15th day of January, 2018

Hon'ble Mr. Justice Permod Kohli, Chairman
Hon'ble Mr. K.N. Shrivastava, Member (A)

Suchitra Goswami,
W/o Sh. Prakash Goswami,
R/o D-II/233, West Kidwai Nagar,
New Delhi-110023. ... Petitioner

(through petitioner in person)

Versus

Union of India through

1. Sh. S.K. Sarkar,
Ex-Secretary, C/o
Ministry of Personnel, Public Grievances & Pensions,
North Block, New Delhi.
2. Sh. Sanjay Kothari,
Secretary,
Ministry of Personnel, Public Grievances & Pensions,
North Block, New Delhi.
3. Sh. Bhanu Pratap Sharma,
Establishment Officer,
DoPT, North Block, New Delhi. ... Respondents

(through Sh. H.K. Gangwani)

ORDER(ORAL)

Hon'ble Mr. Justice Permod Kohli

Vide judgment dated 06.05.2014, passed in OA No. 3193/12, following directions were issued:

"28. In totality of the facts and circumstances of the case, we allow the instant Original Application with the following directives:-

(i) The impugned order dated 30.06.2011 is quashed;
 (ii) The respondents are directed to consider the applicants case for notional promotion from the dates from which her juniors Arun Kumar, respondent no.3 and Sanjiv Datta, respondent no.4 were placed. ç

(iii) We unequivocally hold that since the promotion will be notional in nature, no arrears of pay and salary and other attendant benefits can be given to the applicant for the period. However, the applicant will be entitled full benefits in her pensionary dues.

(iv) The respondents are directed to complete the exercise, as ordained above, within a period of three months from the date of receipt of certified copy of this order.

(v) There shall be no order as to costs."

2. Today, Sh. H.K. Gangwani, learned counsel for the respondents has placed on record a copy of order dated 12.01.2018 which reads as under:

"Subject: Empanelment of Ms. Suchitra Goswami, SGSL"1989, CSS (Retd) at Additional Secretary level.

In compliance of the Order of the Hon'ble Central Administrative Tribunal, the Appointments Committee of the Cabinet has approved the following:

(i) Empanelment of Ms. Suchitra Goswami, SGSL: 1989, CSS(Retd) at Additional Secretary level with effect from 10.05.2010 i.e. the date of appointment of her junior Shri Arun Kumar to the grade of Additional Secretary to the Government of India;

(ii) Consequent to approval of her empanelment as mentioned in (i) above, granting of notional promotion to Ms. Suchitra Goswami to the grade of Additional Secretary with effect from 10.05.2010 i.e. the date of appointment of her junior Shri Arun

Kumar to the grade of Additional Secretary to the Government of India; and

(iii) Since the promotion will be notional in nature, no arrears of pay and salary and other attendant benefits can be given. However, Ms. Goswami may be entitled to full pensionary benefits."

3. Vide the aforesaid order, the applicant has been granted grade of Additional Secretary to the Government of India w.e.f the date her junior Arun Kumar was promoted as Additional Secretary i.e., w.e.f. 10.05.2010. Since the direction was to grant notional benefit, which has been complied with, nothing survives in the petition. Proceedings dropped.

(K.N. Shrivastava)
Member (A)

(Justice Permod Kohli)
Chairman

/ns/