

**Central Administrative Tribunal
Principal Bench**

**OA No.918/2017
MA No.994/2017**

New Delhi, this the 20th day of March, 2017

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

Ms. Keerthi Jalli, IAS (2013 Batch)
D/o Shri Kanakaiah Jalli
Posted as Staff Officer to Chief Secretary
Govt. of Assam, Block-C
3rd Floor, Dispur(Assam)-781006. ..Applicant

(By Advocates: Ms. Jyoti Singh, Sr. Advocate, Ms. Tinu Bajwa,
Shri Dinesh Yadav)

Versus

1. Union of India through its Secretary
Ministry of Personnel, Public Grievances
And Pensions, Department of Personnel
And Training, North Block
New Delhi.
2. The Secretary
Union Public Service Commission
Dholpur House, Shahjahan Road
New Delhi-110069. ..Respondents

ORDER (ORAL)

Justice Permod Kohli, Chairman :-

Notice.

2. Shri Hanu Bhaskar, learned counsel, appears and accepts
notice on behalf of respondent No.1.

3. This OA has been filed seeking declaration that the applicant belongs to OBC category and is entitled to be considered for allocation of Home State Cadre on that basis. The applicant has also filed an application seeking condonation of delay for 3 years 8 months and 22 days. The applicant has also placed on record copy of OBC certificate issued by the competent authority to canvass that she belongs to OBC category but she applied under the general category in the Civil Services Examination held in the year 2012. The applicant was successful and was appointed to the IAS cadre on the basis of her merit and allocated the State of Assam and Meghalaya. It is stated that later the applicant having realized that she belongs to OBC category applied for reallocation of her cadre. Various representations made by the applicant have not been considered. One of such representation is dated 21.12.2016 (Annexure A-3, pages 24-25).

4. After arguing for a while, Ms. Jyoti Singh, learned Senior Counsel, submits that the applicant would be satisfied if a direction is issued to the respondents to consider the representation of the applicant referred to hereinabove.

5. We have considered the submissions made by learned Senior counsel. As far as the prayer for a direction to dispose

of the representation of the applicant is concerned, it can definitely be granted, however, this should not be construed as condoning the limitation and if at any stage the question of limitation arises, the same shall remain open subject to consideration by the Tribunal.

6. With the above caveat, this Application is disposed of with a direction to Respondent No.1 to consider the representation of the applicant dated 21.12.2016 and take decision thereon by passing a reasoned and speaking order within a period of two months from the date of receipt of copy of this order.

(K.N. Shrivastava)
Member(A)

(Justice Permod Kohli)
Chairman

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