

**Central Administrative Tribunal
Principal Bench**

OA No.944/2017

New Delhi, this the 31th day of May, 2017

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

Smt. Suchitra Goswami
W/o Sh. Prakash Goswami
R/o Flat No.D-II/233
Kidwai Nagar (West)
New Delhi-110023.

...Applicant

(By Advocate : Shri Harpreet Singh)

Versus

Union of India through its Secretary
"Niti Aayog", Yojana Bhawan
New Delhi-110001.

...Respondent

ORDER (ORAL)

Justice Permod Kohli :-

The applicant retired as Joint Secretary from the Ministry of Home Affairs. She was engaged as Research Associate in Women and Child Development Division, Planning Commission on the basis of an offer dated 11.06.2014. Her appointment was on contractual basis on a monthly emoluments as per paragraph 6.1 of the order dated 09.08.2012 issued by the Planning Commission, Govt. of India on the subject "Procedure & Guidelines for Engagement of Consultants". It was further stipulated in

the offer that the appointment does not carry any allowance, such as Dearness Allowance, Residential Telephone, Transport Facility, Residential Accommodation, Personal Staff, CGHS, Medical Reimbursement etc. Her initial engagement was for a period of one year, which could be curtailed depending upon the circumstances. The engagement of the applicant was, however, extended vide order dated 14.07.2015 up to 30.09.2015. The applicant has placed on record office notings, which indicate that she made a request for extension of her tenure and a recommendation was made to extend the tenure by one year w.e.f. 30.09.2015. However, this recommendation does not seem to have been accepted by the competent authority, nor any order came to be issued extending her engagement.

2. Learned counsel for the applicant submits that notwithstanding the fact that no formal extension was granted, the applicant continued to work beyond 30.11.2015. The applicant was accordingly asked to place on record the relevant material, which may indicate that she was allowed to continue to work beyond 30.11.2015. The applicant has filed an affidavit dated 25.05.2017

annexing thereto the biometric attendance-sheet for the period from 01.10.2015 to 31.03.2016. Even if this document is accepted, the applicant has not worked beyond 31.03.2016.

3. The applicant had made representations dated 18.12.2015 and 16.03.2016 (Annexure A-11 colly). These representations are pending consideration of the respondents.

4. Without going into the merits of the controversy, we dispose of this OA at the admission stage with the direction to the respondent to consider the representations of the applicant, referred to herein above, and dispose of the same by passing a reasoned and speaking order, within a period of three months from the date of receipt of a copy of this order.

(K.N. Shrivastava)
Member (A)

(Justice Permod Kohli)
Chairman

/vb/