

**Central Administrative Tribunal
Principal Bench**

OA No.2461/2016

New Delhi this the 26th day of July, 2016

Hon'ble Mr. V.N. Gaur, Member (A)

Ms. Ashwani Kumari (Aged about 56 years),
D/o Shri Harbans Lal,
R/o G&JU, House No.8B, LIG Flats,
North Pitam Pura,
New Delhi-110034.

...applicant

(By Advocate : Ms. Soumyashree Mishra for Shri P.C. Mishra)

Versus

1. The Chief Secretary,
Govt. of NCT of Delhi,
Delhi Sachivalaya, I.P. Estate,
New Delhi-110002.
2. The Director General of Prisons,
Prison Head Quarters,
Near Lajwanti Garden Chowk,
Janak Puri,
New Delhi-110064.

...respondents

ORDER (ORAL)

The applicant is a Deputy Superintendent working in the Central Jail, Tihar, New Delhi with the respondent No.2. She was dismissed from service vide order dated 26.09.2005, which she challenged in OA No.70/2007. This Tribunal vide order dated 31.08.2009, quashed the dismissal order and as a result, she was reinstated w.e.f. 27.3.2012. The present OA has been filed with a prayer to grant annual increments for the period of suspension i.e.

01.09.2005, 01.07.2006, 01.07.2007, 01.07.2008, 01.07.2009, 01.07.2010, 10.07.2011 and 01.07.2012 and to recalculate the subsistence allowance and pay the arrears. The applicant had submitted a representation on 24.08.2015, to respondent No.2, which remains un-replied. The learned counsel submits that she will be satisfied, if the OA is disposed of with a direction to the respondents to take a decision on the representation submitted by the applicant on 24.08.2015, in the light of this Tribunal's orders in OA No.688/2013 dated 11.11.2014 and OA No.4171/2015 dated 18.11.2015.

2. Heard the learned counsel.

3. Considering the facts of the case and circumstances, the OA is disposed of at admission stage itself, with a direction to the respondents to consider the representation dated 24.08.2015 submitted by the applicant, in the light of the judgments quoted above, within a period of three months from the date of receipt of a certified copy of this order.

4. Needless to mention that in case the applicant still remains aggrieved by the order to be passed by the respondents, she would be at liberty to assail the same in a fresh cause of action, if so advised.

(V.N. Gaur)
Member (A)

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