

**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH,  
NEW DELHI**

**OA No.3136/2016**

**New Delhi this the 9<sup>th</sup> day of May, 2017**

**Hon'ble Mr. V. Ajay Kumar, Member (J)**  
**Hon'ble Mr.P.K.Basu, Member (A)**

Ms. Kamini Malhotra  
Aged 52 years  
W/o Shri Anil Malhotra  
Retired Librarian from Directorate of Education  
GNCT of Delhi  
R/o B-34, Sarve Sanjhi Group Housing Society  
Plot No.8, Sector 9, Dwarka,  
New Delhi.

....Applicant.

(By Advocate: Shri Yogesh Sharma)

Versus

1. Government of NCT of Delhi  
Through its Chief Secretary  
Players Building, Near Indira Gandhi Stadium  
Delhi.
2. The Director  
Directorate of Education  
Govt. of NCT of Delhi  
Old Secretariat,  
Delhi.
3. The Deputy Director of Education  
Govt. of NCT of Delhi  
Distt. South West B, Najafgarh,  
New Delhi.
4. The Principal/HOD  
Govt. Co-Ed. Senior Secondary School  
Govt. of NCT of Delhi  
Pochanpur, Sector-23, Dwarka  
New Delhi – 110 077.

.... Respondents.

(By Advocate: Shri N.K.Singh for Mrs.Avnish Ahlawat)

**ORDER (ORAL)****By Hon'ble Mr. V. Ajay Kumar, Member (J)**

Heard both sides.

2. The applicant, a retired Librarian, filed the present O.A., seeking the following reliefs :-

- “(i) That the Hon'ble Tribunal may graciously be pleased to pass an order of quashing the impugned order dated 29.7.2016 (A/1) and consequently, pass an order directing the respondents to consider and to grant the 2<sup>nd</sup> financial upgradation of the applicant w.e.f.10.9.2011 with all the consequential benefits including the arrears of difference of pay and allowances and revision of retirement benefits with interest @ 18% PA.
- (ii) That the Hon'ble Tribunal may graciously be pleased to pass an order directing the respondents to consider and to grant the 2<sup>nd</sup> financial upgradation of the applicant w.e.f.10.09.2011 after ignoring all the incomplete ACRs of the applicant.
- (iii) Any other relief which the Hon'ble Tribunal deem fit and proper may also be granted to the applicant, along with costs of litigation.”

3. The learned counsel for the respondents, today, while producing a letter dated 01.02.2017, addressed to them, submitted that the pending ACRs of the year 2007-08, 2008-2009 and 2009-2010 are filled up by the concerned authorities and they will consider the case of the applicant for 2<sup>nd</sup> MACP when the next meeting of the DPC will be held. Accordingly, prays for dismissal of the O.A. in the said line.

4. In the circumstances and in view of the submissions made, the OA is disposed of by directing the respondents to consider the case of the applicant for the 2<sup>nd</sup> MACP, as per Rules in the next meeting of DPC or whenever the next meeting is met, in any case within three months and as a result, if the applicant is found fit, the respondents shall grant her all the consequential benefits, in accordance with law. No costs.

**(P.K.BASU)**  
**Member (A)**

**(V. AJAY KUMAR)**  
**Member (J)**

