

**Central Administrative Tribunal
Principal Bench**

OA No.4026/2015

New Delhi, this the 3rd day of November, 2015

**Hon'ble Mr. Justice Syed Rafat Alam, Chairman
Hon'ble Mr. P. K. Basu, Member (A)**

Ms. Nidhi Goswami
[Lecturer (Beautician)
Now Lecturer (Cosmetology & Health)
Aged around 41 years,
W/o Sh. Ashish Bhatt
R/o 46-Type-IV, IT Staff Quarters,
Sunlight Colony, Maharani Bagh,
New Delhi 14.

Presently posted at

Meerabai Institute of Technology,
Maharani Bagh,
New Delhi.

-Applicant.

(By Advocate : Shri Sourabh Ahuja)

Versus

1. Govt. of NCT of Delhi
Through its Chief Secretary,
Delhi Sachivalaya, Players Building,
I.P. Estate, New Delhi-2.
2. Principal Secretary/Secretary
Respondents of Training & Technical Education,
GNCT of Delhi,
Muni Maya Ram Marg,
Pitam Pura, Delhi 88.
3. The Principal
Meera Bai Institute of Technology,
Respondents of Training & Technical Education,
Maharani Bagh, New Delhi-65.
4. Director
Department of Training & Technical Education,
GNCT of Delhi,
Muni Maya Ram Marg,
Pitam Pura,
Delhi-88. - Respondents.

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

: O R D E R (ORAL) :

Hon'ble Mr. Justice Syed Rafat Alam, Chairman :

By means of this Application, the applicant has sought the following reliefs:-

- “(a) Direct the respondents to consider the name of the applicant for grant of Lecturer (Selection Grade) (i.e. PB-3 with AGP of Rs.8000/-) w.e.f. 26.12.2011 and if the applicant is declared/found ‘FIT’ by the screening/selection committee, then she should be granted Lecturer (Selection Grade) (i.e. PB-3 with AGP of Rs.8000/-) w.e.f. 26.12.2011 with all consequential benefits viz. arrears of salary, compound interest @18% per annum on arrears of the salary, promotion, seniority etc. and
- (b) Direct the respondents to consider the name of the Applicant for grant of PB-4 of Rs.37400-67000 with AGP of Rs.9000/- w.e.f. 26.12.2014 and if the applicant is declared/found ‘FIT’ by the screening/selection committee, then she should be granted PB-4 of Rs.37400-67000 with AGP of 9000/- w.e.f. 26.12.2014 with all consequential benefits viz. arrears of salary, compound interest @18% per annum on arrears of salary, promotion, seniority etc. and
- (c) Award cost in favour of the applicant and against the respondents and/or
- (d) Pass any other or further order, which this Hon'ble Tribunal may deem fit, just equitable in the facts and circumstances of the case.”

2. Learned counsel for the applicant vehemently contended that the applicant fulfils all the conditions for grant of selection grade in PB-3 with AGP of Rs.8000 w.e.f. 26.12.2014, and PB-4 in the scale of Rs.37400-67000 with AGP of Rs.9000 w.e.f. 26.12.2014, yet the respondents have not taken any decision to give the benefit of the aforesaid scale though persons junior to him have already been granted the same vide order dated 05.12.2013. He further submitted that despite several representations which are enclosed

as Annexure A-1 colly and reminder dated 22.09.2015, the respondents have not taken any decision.

3. When the matter was taken up yesterday as a fresh one, learned counsel for the respondents was asked to seek instructions in the matter as to whether the aforesaid representation of the applicant can be disposed of or not. Learned counsel, on instructions from the respondents, states that the aforesaid representation would be examined and final decision would be taken expeditiously, preferably within a period of four weeks.

4. In view of the above, we are of the view that no purpose would be served by keeping the matter further pending. Therefore, it would be appropriate to dispose of this Application at this stage with direction to the respondents/concerned authority to examine the grievance of the applicant made through the aforesaid representation and take appropriate decision in accordance with law expeditiously, by recording reasons, preferably within a period of four weeks from the date of receipt of certified copy of this order. It is made clear that we have not expressed any opinion on merit of the case as at the first instance it is to be decided by the respondents.

5. With the above order, this Application stands finally disposed of.

(P. K. Basu)
Member (A)

(Syed Rafat Alam)
Chairman

/pj/

