

**Central Administrative Tribunal
Principal Bench, New Delhi**

O.A. No.4587/2018

Monday, this the 17th day of December, 2018

Hon'ble Mr. K.N. Shrivastava, Member (A)

D. Shanthi Sankar
w/o Mr. K Sankar
aged about 45 years
working as Clinical Instructor
Rajkumari Amrit Kaur College of Nursing
Lajpat Nagar
New Delhi – 110 021

r/o Type III Quarter No.1
RAK College of Nursing Campus
Lajpat Nagar
New Delhi – 110 024

..Applicant

(Mr. K K Patel, Advocate)

Versus

1. Union of India
Through Secretary
Ministry of Health & Family Welfare
(CHS Division)
Govt. of India
Nirman Bhawan, New Delhi – 110 011

2. The Principal
Rajkumari Amrit Kaur College of Nursing
Lajpat Nagar, New Delhi – 110 024

..Respondents

(Ms. Leelawati Suman, Advocate)

O R D E R (ORAL)

The applicant joined Safdarjung Hospital, New Delhi on 11.03.1999 as a Staff Nurse. She possesses B.Sc. (Nursing) degree. She was deputed to Rajkumari Amrit Kaur College of Nursing (RAK College), New Delhi w.e.f. 01.01.2009. She wants to pursue M.Sc.

(Nursing) in paediatrics, which is a two years course from the same college. Ministry of Health & Family Welfare (respondent No.1), vide its letter dated 15.03.2018 (Annexure A-2 –colly.), addressed to the Acting Principal, RAK College of Nursing, has informed that the competent authority had decided that only one candidate could be sponsored for pursuing M.Sc. (Nursing) course from RAK College. It is stated that one candidate, on the basis of seniority, has already been sponsored from the said college. The applicant's contention is that in Sresakthimayeil Institute of Nursing & Research, Komarapalayam which is approved by Indian Nursing Council and recognized by Tamil Nadu Dr. MGR Medical University, Chennai, one seat is available in M.Sc. (Nursing) in paediatrics, to which she could be sponsored. The applicant submitted a representation dated 28.11.2018 (p.36) to the Joint Secretary, Ministry of Health & Family Welfare in this regard.

2. Heard learned counsel for the applicant.
3. Issue notice to the respondents. Ms. Leelawati Suman, learned counsel appears and accepts notice on behalf of respondents.
4. Mr. K K Patel, learned counsel for applicant submits that the applicant would be satisfied, at this stage, if a time bound direction is given to the respondent No.1 to decide the pending representation of the applicant dated 28.11.2018.
5. Having regards to the submission made and without going into the merits of the case, the O.A. is disposed of at the admission stage

itself with direction to respondent No.1 to decide the applicant's pending representation dated 28.11.2018 within a period of four weeks from the date of receipt of a copy of this order, by way of passing a reasoned and speaking order, under intimation to the applicant. Needless to say that the applicant shall have liberty to take recourse to appropriate remedy, as available to her under law, in case she remains dissatisfied with the order to be passed by respondent No.1 on her representation.

(K.N. Shrivastava)
Member (A)

December 17, 2018

/sunil/