

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

O.A No. 632/2015

New Delhi, this the 19th day of February, 2019

Hon'ble Sh. V. Ajay Kumar, Member (J)
Hon'ble Ms. Aradhana Johri, Member (A)

Smt. Manju Yadav (Aged about 38 years),
(ID No. 20092950)
W/o. Sh. Rattan Lal,
R/o. RZ D-49-B, Gali No. 6,
Syndicate Enclave,
Dabri More, New Delhi – 110 045.

Presented Posted as :
TGT (Hindi)
Govt. Girls Senior Secondary School,
(I.D. No. 1618060)
Bindapur,
New Delhi-110 059.

...Applicant

(By Advocate : Mr. M. K. Bhardwaj)

Versus

1. Govt. of NCT of Delhi through
Its Chief Secretary,
Govt. of NCT of Delhi,
Delhi Secretariat,
IP Estate, New Delhi.
2. The Director of Education,
Govt. of NCT of Delhi,
Old Secretariat,
Civil Lines, New Delhi.
3. The Commissioner,
South Delhi Municipal Corporation,
Civic Centre, Minto Road,
New Delhi.
4. The Director Education
South Delhi Municipal Corporation,

HQ at 23rd Floor, Civic Centre,
Minto Road, New Delhi.

5. DSSSB through

Its Secretary,
FC-18, Institutional Area,
Karkardooma, Delhi.

...Respondents

(By Advocate : Mr. Vijay Kumar Pandita)

ORDER (ORAL)

Hon'ble Sh. V. Ajay Kumar, Member (J)

This O.A has been filed seeking the following reliefs :-

"1. Direct the competent authority of the Respondents to grant notional seniority to the applicant as per their respective positions in the merit list prepared by the Respondent No. 5 in the year 2002 and also to give her appointment on notional basis from the date the first general category candidate joined duty i.e. 27.06.2003 and consequently also grant her notional increments and fixation of pay and other benefits like GPF, Pension, etc. as granted to her batch mates belonging to the unreserved category such as regulation of her Pension under Old Pension Scheme governed under (CCS) (Pension) Rules, 1972 and not under the New Pension Scheme made effective from 01.01.2004;

2. Direct the Respondents to pay to the applicant penal interest @18% per annum on the entire dues which may be made payable as per the orders of this Hon'ble Tribunal from the date of its becoming due and payable till the same is paid in its entirety.

3. Award compensation in favour of the applicant for the mental harassment and trauma caused to her due to not extending the reliefs sought hereinabove by the respondents earlier and compelling the applicant to approach the Hon'ble Tribunal by way of this application;

4. Also award exemplary cost of this litigation in favour of the applicant and against the respondents for unnecessary dragging the applicant before this Hon'ble Tribunal and

5. Pass any other order (s) or direction (s) as may be deemed fit and necessary by this Hon'ble Tribunal in view of the facts and circumstances of the present application as well as in the interest of justice."

2. When this O.A is taken up for hearing, learned counsel for applicant submits that the applicant would be satisfied if the respondents are directed to consider his claim keeping in view the various documents and judgments annexed to the O.A., within a fixed time frame.

3. In the circumstances, the O.A is disposed of without going into the merits of the case by directing the respondents to consider the claim of the applicant and to pass appropriate speaking and reasoned order thereon, in accordance with law, within 90 days from the date of receipt of a certified copy of this order. No costs.

(Aradhana Johri)
Member (A)

(V. Ajay Kumar)
Member (J)

/Mbt/