

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

O.A No. 825/2019

New Delhi, this the 13th day of March, 2019

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

Smt. Suresh Singhal,
Aged about 59 years,
W/o. Sh. Ravinder Singhal,
Asstt. Administration Officer/DDO
Patent Office, Bodhik Sampada Bhawan,
Plot No. 32, Sector-14, Dwarka,
New Delhi – 110 075.

R/o. WZ-13, Gali No. 8,
Sadh Nagar, Palam Colony,
New Delhi.

...Applicant

(By Advocate : Dr. Puran Chand)

Versus

1. The Secretary,
Ministry of Commerce & Industries
Govt. of India, Udyog Bhawan,
New Delhi – 110 011.

2. The Controller General of Patents,
Designs and Trade Marks,
Boudhik Sampada Bhawan,
1st Floor, S. M. Road,
Antop Hill, Mumbai – 400 037.

3. Senior Joint Controller of Patents &
Designs Intellectual Property Office
Ministry of Commerce & Industries
Boudhik Sampada Bhawan,
Plot No. 32, Sector-14,
Dwarka, New Delhi – 110 075.

...Respondents

(By Advocate : Mr. Rajnish Prasad)

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

Heard learned counsel for applicant and Mr. Rajnish Prasad, learned counsel for respondents on receipt of advance notice.

2. The applicant an Assistant Administrative Officer (AAO) filed the O.A seeking the following reliefs :-

“(i) That the Hon'ble Tribunal may graciously be pleased to pass an order declaring to the effect that the whole action of the respondents in not considering and not promoting the applicant to the post of Administrative Officer (GP 'A' Gazetted PB-3-Grade Pay of Rs.5400/-) since 2015 is illegal, arbitrary, against the rules and consequently pass an order directing the respondents to consider the case of the applicant for her promotion to the post of Administrative Officer (GP-'A' Gazetted-PB-3-Grade Pay Rs.5400/-) in the year 2015 with all the consequential benefits.

(ii) That the Hon'ble Tribunal may graciously be pleased to pass an order declaring to the effect that the whole action of the respondents in not notifying the recruitment rules in time is illegal and arbitrarily and consequently pass an order to promote the applicant in the year 2015 as had the applicant been promoted as Administrative Officer (GP-'A' Gazetted PB-3 Grade Pay 5400/- after the applicant became eligible on completion of 3 years as Administrative Officer in Grade Pay of Rs.4600/- as the post was available in the year 2015, the applicant would have become eligible for promotion as Senior Administrative Officer P & D, PB3, Grade Pay Rs.6600/- in the scale of Rs.15600-39100/-) after completion of 03 years service in the year 2018.

(iii) Any other or further relief which this Hon'ble Tribunal may deem fit and proper may also be granted to the applicant.”

3. It is submitted that the applicant made a number of representations vide Annexure A/10 11, 13 and 15 ventilating his grievances to the respondents. However, no orders have been passed till date.

4. In the circumstances, the O.A is disposed of without going into the merits of the case by directing the respondents to consider the representations of the applicant and to pass an 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/