

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

OA 4590/2015

This the 25th day of April, 2019

**Hon'ble Ms. Nita Chowdhury, Member (A)
Hon'ble Mr. S.N. Terdal, Member (J)**

Smt. Sushila Sharma, aged 61 years,
w/o Sh. K.N. Sharma,
retired Vice Principal (HOS/officiating Principal),
from Directorate of Education,
Govt. of NCT of Delhi.
r/o 28-A, Sector 9, Judges' Colony,
Vaishali, Ghaziabad(UP).

...Applicant

(By Advocate: Mr. Yogesh Sharma)

VERSUS

1. N.C.T. of Delhi
Through the Chief Secretary,
New Sectt. I.P.Estate, New Delhi.
2. The Director,
Directorate of Education,
Govt. of NCT of Delhi, Old Sectt.,
Delhi.
3. The Deputy Director of Education,
Directorate of Education,
Govt. of NCT of Delhi,
District East, D-Block,
Anand Vihar, Delhi-92.

... Respondents

(By Advocate: Mr. Vijay Pandita)

ORDER (Oral)

Hon'ble Ms. Nita Chowdhury:

This OA has been filed by the applicant 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 not granting the

officiating allowances to the applicant while performing the duties on higher posts and not granting the Additional remunerations while performing duties on two or more than two posts, is illegal, arbitrary, against the principal of natural justice and violates Art. 14 and constitution of India.

(ii) That the Hon'ble Tribunal may graciously be pleased to pass an order directing the respondents to grant the official allowances to the applicants while performing duties on higher posts i.e. to the post of Principal in Scale of PB-3 with Grade pay of Rs. 7600/- with all the consequential benefits including the difference of pay and allowances with interest.

(iii) That the Hon'ble Tribunal may graciously be pleased to pass an order directing the respondents to grant the additional remunerations while performing the duties of additional posts between 5.3.2009 to 28.2.2014, as per FR 49, with all the consequential benefits including the difference of pay and allowances with interest.

(iv) Any other relief which the Hon'ble Tribunal deem fit and proper may also be granted to the applicants with the costs of litigation."

2. When the matter is taken up, learned counsel for the applicant draws our attention to previous judgment in OA 3614/2010 which was pronounced on 27.09.2011. He states that he has worked on a higher post but has not been given the benefits due to him and he prays that a direction be given to the respondents to pass a speaking order in this regard.

3. Counsel for the respondents has filed a detailed reply and draws our attention to a similar case, i.e, OA No. 2275/2013 in the matter of **Anand Swaroop Bhardwaj v. Govt. of NCT of Delhi & Ors.** & many other OAs and states that the present applicant has filed her claims after a long period of delay and laches and the application for condonation of delay also cannot be allowed because the same has not been explained.

4. However, after hearing both the parties, we find that the applicant has given a number of representations (Annexure A/1 colly.) indicating her grievance to the respondents and they have still not taken a decision thereon.

5. In the circumstances, the OA is disposed of by directing the respondents to consider the representations at Annexure A/1 (colly.) of the applicant and pass a reasoned and speaking order thereon, within period of six weeks from the date of receipt of copy of this order, in accordance with law. No costs.

(S.N.Terdal)
Member (J)

(Nita Chowdhury)
Member (A)

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