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CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH, NEW DELHI.

OA-529/2003

New Delhi this the 7th day of March, 2003.

Hon'ble Dr. A. Vedavalli, Member(J)

Smt. Sarla,
W/o Sh. Naresh Kumar,
R/o L-386, Shakur Pur,
Delhi. Applicant

(through Sh. Raj Singh, Advocate)

Versus

1. GNCT of Delhi through its Chief Secretary, Players Building, I.P. Estate, New Delhi.
2. Director of Education, Directorate of Education, Old Secretariat, Delhi.
3. Dy. Director of Education, District North West-B, F-U Block, Peetam Pura, Delhi.
4. The Principal, Sarvodaya Co-Ed Sr. Sec. School, Kailash Enclave, Delhi-34. Respondents

ORDER (ORAL)

Hon'ble Dr. A. Vedavalli, Member(J)

Heard.

2. Applicant, Sarla, who was working as part time sweeper under the respondents is aggrieved by the impugned order dated 14.11.2002 (Annexure A-1) discontinuing her services as part time sweeper in view of the imposition of ban by Finance Department dated 21.10.1996.



3. The applicant seeks the following reliefs in this OA:-

"(i) That the impugned order 1135 dated 14.11.2002 (Annexure A-1) discontinuing the services of the applicant with immediate effect be quashed/set aside and directing the respondents to reinstate the applicant to the post of part time sweepers with back wages and continuity of service and other consequential benefits be also awarded to the applicant.

(ii) It is, further prayed that the respondents be directed to consider the case of the applicant for granting temporary status against the vacant post of sweepers.

(iii) that the respondent be directed to pay equal remuneration for equal work to that of regular employee of the same post or the minimum wages as prescribed by respondent No.1.

(iv) Any other relief which this Hon'ble Tribunal deem fit and proper under the facts and circumstances of the case be also granted to the applicant with costs."

4. When the matter came up for admission today, learned counsel for the applicant Sh. Raj Singh submitted that aggrieved by the aforesaid order the applicant has submitted a detailed representation dated 27.11.2002 (Annexure A-6) and there is no reply or response to the said representation from the respondents as on date. He prays that the OA may be disposed of at the admission stage with direction to



the respondents to dispose of the said representation within a particular time frame to be fixed by the Court with liberty to approach this Tribunal again if any grievance survives thereafter, in accordance with law.

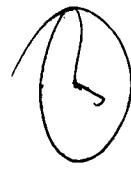
5. On a perusal of the OA and all the material papers placed on record and after hearing the learned counsel for the applicant, I am of the view that the ends of justice will adequately be met by disposing of this OA at the admission stage itself with the following directions:-

(i) The respondents are directed to examine the aforesaid representation dated 27.11.2002 (Annexure A-6) on its merits taking the grounds taken in the OA also as additional grounds in the light of the relevant rules, instructions and judicial pronouncements on the subject and dispose of the same with a detailed and speaking order in accordance with law under intimation to the applicant within two months from the date of receipt of a copy of this order.

(ii) If any grievance further survives thereafter, the applicant is granted liberty to approach this Tribunal again in appropriate fresh original proceedings, if so advised, in accordance with law.

6. OA is disposed of as above.

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7. Registry is directed to send a copy of the OA alongwith a copy of this order to the respondents.

A. Vedavalli

(Dr. A. Vedavalli)
Member (J)

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