

11.8.2004

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MA 1240/2004 IN  
OA 1020/2003

Present: Shri D.K.Jain for Dr.M.P.Raju for applicant.  
Shri Mohit Madan for Mrs.Avnish Ahlawat,  
counsel for respondents.

MA-1240/2004

OA-1020/2003 had been filed by the applicant  
which was decided on 15.3.2004. Operative portion of  
the order passed by this Tribunal reads:

13. In view of the above we would like to dispose of this OA with the directions that in compliance to the Tribunal's order dated 10.9.2001 in OA 1930/1999, the respondents should first consider the applicant for promotion to the post of PGT from a date earlier to 25.1.83 by following the 40 point roster as per rules and as per the eligibility and after that to fix notional seniority After considering her promotion and re-fixing the notional seniority in PGT grade all consequential promotional benefits to be granted with regard to the date of selection as PGT, SG- I & II, PGT Scale, promotion as Vice Principal, If she is found fit as per rules and law. She will be only entitled for notional benefits like seniority and promotion from the date any of the juniors have been promoted without any monetary benefits. This process should be complied with within six months from the date of receipt of the certified copy of this order.

It is clear from the aforesaid that this Tribunal had granted notional benefits like seniority and promotion to the applicant from the date any of the juniors were promoted without any monetary benefits.

By virtue of the present miscellaneous application the applicant seeks modification and

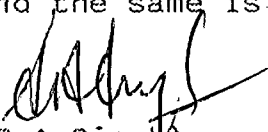
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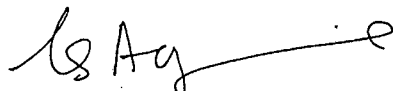
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clarification of that order contending that she is entitled to the monetary benefits and it is in the fitness of things that this fact should be clarified. A conscious decision has been taken by this Tribunal. This was keeping in view the totality of the facts and the circumstances to deny the applicant's monetary benefits. Therefore, it is not a case of any clerical inadvertent mistake that can be corrected. We find no reason to allow the present miscellaneous application and the same is dismissed.

  
(S.A. Singh)  
Member(A)

  
( V. S. Aggarwal )  
Chairman

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