



CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH

O.A.NO.060/00386/2020

Decided on: 24.12.2020

HON'BLE MS. AJANTA DAYALAN, MEMBER (A)

Jyoti Maini PRT, aged about 55 wife of Sh. Naresh Maini, Resident of House No. 34, Gopal Nagar, Gali No.2, Majitha Road, Amritsar and now residing at 7111 W Cold Spring Road, Apt#1, Greenfield, WI, USA-53220, Employee Code: 33512

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Applicant

(BY ADVOCATE: MR. VANSI MALHOTRA)

VERSUS

1. Union of India through the Secretary, Ministry of HRD, Shastri Bhavan, New Delhi-110001.
2. The Commissioner, Kendriya Vidyalaya Sangathan, 18, Industrial Area, Shaheed Jeet Singh Marg, New Delhi.
3. The Deputy Commissioner, Regional office, Jammu, Near Govt. Hospital, Gandhi Nagar, Jammu-180004.
4. The Deputy Commissioner, Kendriya Vidyalaya Sangathan, Regional office SCO 72-73, Sector 31-A, Chandigarh-160030.
5. The Principal, Kendriya Vidyalaya No.1, Amritsar Cantt, Near Sadar Bazaar, Amritsar-143001.

(BY ADVOCATE: MR. R.K.SHARMA)

Respondents



O R D E R (ORAL)
HON'BLE MS. AJANTA DAYALAN, MEMBER (A)

The learned counsel for the respondents states that as per order dated 6.7.2020 (Annexure MA-1) appeal dated 2.12.2019 of the applicant against her removal from service has been accepted and vide order dated 8.7.2020 (Annexure MA-2) she has been granted voluntary retirement w.e.f. 12.7.2019, as per her request. He, therefore, stated that this O.A has been rendered infructuous.

2. A perusal of the O.A. shows that applicant had challenged Memo dated 24.9.2018 (Annexure A-7) vide which a notice under Article 81(d)(3) of Education Code for Kendriya Vidyalayas was issued informing that she has voluntarily abandoned her service and thereby provisionally lost lien on her post and order dated 2.9.2019 (Annexure A-11) under Article 81(d)(6) of the Education Code vide which she was removed from service w.e.f. 16.8.2018. The Appellate Authority has accepted her appeal vide order, MA-1, stating that her request for VRS w.e.f. 12.7.2019 can be accepted, if she is otherwise eligible for grant thereof, as per the extant rules and Deputy Commissioner, KVS, RO, Chandigarh (Respondent No.4) was directed to grant her VRS w.e.f. 12.7.2019, as per rules. Pursuant thereto, Respondent No. 4 has granted her VRS w.e.f. 12.7.2019 as per her own request. Thus, both the reliefs claimed by the applicant have been granted by the respondents.

3. The learned counsel for the respondents further states that the DCRG and leave encashment of the applicant have also been sanctioned and would be released to her shortly. The



amount of GPF has also been processed for payment to the applicant.

4. The Court finds that the relief sought by the applicant has been substantially granted by the respondent KVS vide orders, Annexures MA-1 and MA-2. The O.A. has, therefore, become infructuous and is disposed of accordingly.

5. In case the applicant has still any grievance, she is at liberty to approach this Tribunal through a fresh O.A. No costs.

(AJANTA DAYALAN)
MEMBER (A)

Place: Chandigarh
Dated: 24.12.2020

HC*