

**Central Administrative Tribunal
Jammu Bench, Jammu**

Hearing through video conferencing

O.A. No.062/361/2020

Tuesday, this the 11th day of August, 2020

Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Dr. Bhagwan Sahai, Member (A)

Indu Bala,
Aged 38 Years
W/o sh. Suresh Kumar
R/o Dasoh, Post Office Samba
Presently posted as Teacher
At Government High School
Biahama, District Kulgam

.....APPLICANTS

(By Advocate: Mr. Anuj Dewan Raina)

VERSUS

1. Union Territory of J&K through Commissioner
Secretary, School Education Department
Civil Secretariat,
Jammu/Srinagar
2. The Director School Education
Kashmir
3. The Director School Education
Jammu

....RESPONDENTS

(By Advocate: Mr. Rajesh Thappa)

ORAL ORDER

{As per Hon'ble Mr. Justice L Narasimha Reddy, Chairman}



The applicant was appointed as Teacher by the Jammu & Kashmir Administration in the year 2012 and was posted in the Kulgam District. It is stated that she married a Physical Education teacher from Samba District in the year 2014. Ever since then, she has been making representations to the respondents to transfer her from Kulgam District to Samba. She contends that in the Government policy itself there is a stipulation for effecting such transfers and in fact, the Government has also acceded the similar requests. Her grievance is that the respondents have not taken any decision on her application, so far.

2. We heard Mr. Anuj Dewan Raina, learned counsel for the applicant and Mr. Rajesh Thappa, learned counsel for the respondents at the stage of admission.

3. It is a matter of record that the applicant was appointed as a Teacher and was posted in Kulgam District. While in service she married a Teacher hailing from Samba District. As in various other services, the J&K also evolved a transfer policy, which provides inter alia, for transfer of a female employee, on marriage to the place, where her husband works. This of course is subject to availability of

vacancies. The applicant has also drawn our attention to orders passed by the Government acceding to the similar requests. The question as to whether the applicant fits into that policy and whether there exists the vacancy to accommodating her in Samba District, needs to be examined. The matter cannot be kept pending indefinitely.



4. We, therefore, dispose of the OA directing the respondents to pass orders on the representation of the applicant within a period of three months from the date of receipt of a copy of this order, duly taking into account, the policy guidelines and similar orders, if any, passed on the subject. There shall be no order as to costs.

(DR. BHAGWAN SAHAI)
MEMBER (ADMN.)


(JUSTICE L. NARASIMHA REDDY)
CHAIRMAN

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