

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH JAMMU**



**Dated: This day of 28th of July 2020
(Orders reserved on 23rd of July, 2020)**

**HON'BLE Dr. BHAGWAN SAHAI, MEMBER – A
HON'BLE MR. RAKESH SAGAR JAIN, MEMBER – J**

O.A. No.061/00120/2020

Anju Bala age 38 years W/o Sh. Vikas gupta R/o Ward No. 7, Near Police Station Billawar Tehsil Billawar District Kathua (J & K)

.....**Applicant**

By Advocate: Mr. Arvind Singh Jalmeria

Versus

1. The Union Territory of Jammu and Kashmir through Director School Education Jammu.
2. The Chief Education Officer, Kathua.
3. The Zonal Education Officer, Billawar.
4. The Headmaster Govt. Girls' High School Billawar.

.....**Respondents**

By Advocate: Mr. Amit Gupta, AAG

**O R D E R
Per Mr.Rakesh Sagar Jain, Member (J)**

1. The present O.A. has been filed by applicant Anju Bala seeking the following reliefs:-



“I. Quashing the reliving order passed by respondent No. 4 passed vide Ref. No. GHS/B/161 dated 12.2.2020, whereby the applicant has been relieved from her duties.

II. Directing the respondent No. 2 to release the salary in favour of the applicant from the period 12.02.2020 onwards as the applicant is continuing on the post as per the order of respondent no.2.

III. Further directing the respondent no. 1 to consider the case of applicant as per the transfer policy for the employees of School Education Department for her permanent adjustment in District Kathua.”

2. During the course of arguments, learned counsel for the applicant confines his prayer to direct the respondent No. 2 to release salary of the applicant from the period 12.02.2020.

3. Case of the applicant is that she was appointed as General Line Teacher in the year 2012 in District cadre Udhampur. Thereafter she was transferred for a period of two years on medical grounds vide order dated 30.01.2018 and posted in Govt. Girls High School Billawar.

4. It is further case of the applicant that she was relieved from Billawar vide order dated 12.02.2020 (Annexure –VII) with a direction to report to Chief Education Officer, Kathua for further order. The applicant made a representation against that order. She has challenged the relieving order dated



12.02.2020 (Annexure –VII) on a number of grounds and prays for a direction to Respondent No. 2 to release her salary from 12.02.2020 onwards.

5. Applicant has also filed an MA (No. 189/2020). Learned counsel for the applicant, however, submits that he does not press this MA. The MA is, accordingly, dismissed as not pressed.

6. Applicant, along with the MA, has filed an order dated 13.07.2020 issued by Headmaster Govt. Girls High School Billawar, vide which she has been relieved from her duties. The same is taken on record. Applicant has averred in her O.A. that she was retained by Respondent No. 2 from 12.02.2020 till 13.07.2020, but no salary has been paid to her from 12.02.2020.

7. As per the averment made in counter affidavit it seems that the applicant has not been paid her salary from 12.02.2020 onwards. In these circumstances, we direct the respondents to release salary of the applicant from 12.02.2020 onwards, under Rules, within a period of two

weeks from the date of receipt of a certified copy of this order.

The O.A. is disposed of accordingly. No costs.



(Rakesh Sagar Jain)
Member (J)

(Dr. Bhagwan Sahai)
Member (A)

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