



**Central Administrative Tribunal
Jammu Bench, Jammu**

Hearing through video conferencing

O.A. No.61/322/2020

Monday, this the 27th day of July, 2020

Hon'ble Dr. Bhagwan Sahai, Member (A)
Hon'ble Mr. Rakesh Sagar Jain, Member (J)

Anjali Kumari Bhat, Age 54 years,
W/o Rupash Kumar,
R/o H.No.31-A, Lane No.4,
Bharat Nagar, Bantalab, Jammu

- Applicant

(Mr. Ajaz Chowdhary, Advocate)

Versus

1. The UT of J&K through
Commissioner/Secretary to Govt.
Education Department,
Civil Secretariat, Jammu
 2. Joint Director (Incharge Migrants)
Directorate of School Education, Jammu
 3. Chief Education Officer, Kupwara,
 4. Zonal Education Officer,
Drugmulla District Kupwara
 5. Principal Govt. Camp,
Higher Secondary School, Durga Nagar,
Jammu, Jammu
- ...Respondents

(Mr. Amit Gupta, AAG)

O R D E R (ORAL)**Dr. Bhagwan Sahai, Member (A):**

Anjali Kumari Bhat, wife of Rupash Kumar, resident of H.No.31-A, Lane No.4, Bharat Nagar, Bantalab, Jammu, has filed this OA on 21.07.2020, seeking quashing of impugned order dated 14.07.2020 by which Principal, Govt. mixed Higher Secondary School, Bakshi Nagar (Camp), Durga Nagar, Chinore, Jammu, has relieved her and directed her to report to Zonal Education Officer, Drugmulla Kupwara Kashmir; and direction to respondent no.1 to decide her representation dated 09.12.2019 for extending her deployment at the above school on medical ground and in view of prevailing Covid 19 pandemic. As interim relief, the applicant has also sought stay of the order dated 14.07.2020.

2. In the OA and during arguments of her counsel, the contention of the applicant is that after her deployment at the abovementioned High School from April, 2018 and extension of her deployment for six months by order dated 16.07.2019, respondent no.5 has wrongly relieved her when her representation/request for further extending her deployment was pending with respondent no.1 and in view of health related problem of herself and her mother-in-law, she is unable to join back in District Srinagar as per the impugned order.

3. The applicant's counsel further submits that the applicant would be satisfied if this OA is disposed of at this stage with direction to the respondents to consider and decide her pending representation within a specified period of time and in the meantime, the impugned order is stayed.

4. The respondents' counsel submits that the applicant has already completed her period of deployment and the extended period to work at the above high school. However, even as the extended period has already expired, she has been rightly relieved by respondent no.5 and she has to report back to Chief Education Officer, Kupwara. Therefore, the OA should be dismissed.

5. We have carefully considered the submissions of both the counsel for the parties.

6. After the applicant's initial deployment in Jammu District, she has already completed the period of two years and thereafter even the period of extension has also expired and she has already been relieved by the impugned order dated 14.07.2020. Therefore, we find no merit in the applicant's request for staying the impugned order. It is rejected.

7. In view of request of the applicant's counsel, this OA is disposed of with direction to the respondents to consider and decide the pending representation of the applicant dated 09.12.2019, forwarded by

Principal, Govt. Mixed Hr. Sec. School, Bakshi Nagar, Camp Durga Nagar, Jammu, with a reasoned and speaking order, within a period of one month from the date of receipt of a copy of this order. With this, the OA stands disposed of. No costs.

(Rakesh Sagar Jain)
Member (J)

(Dr. Bhagwan Sahai)
Member (A)

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