



**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH JAMMU**

Dated: This day of 10th of July 2020

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

O.A. No.061/00003/2020

Kavita Manhas, age 29 years, W/o Sh. Surinder Kumar, R/o Village Saran, Sindra, Tehsil Bhalla, District Doda, A/p Patoli Mangotrian, Tehsil and District Jammu.

.....Applicant

By Advocate: Mr. Sudershan Sharma

Versus

1. UT of J & K through its Commission Secretary School Education Department, J & K Govt., Civil Secretariat, Jammu/Srinagar.
2. Director, School Education, Muthi Jammu, District Jammu.
3. Chief Education Officer, Jammu Behind Civil Secretariat, Jammu, District Jammu.
4. Zonal Education Officer, Kachi Chawni, Jammu, District Jammu.
5. Headmaster, Govt. Middle School, Patoli Mangotrian, Jammu, District Jammu.

.....Respondents

By Advocate: Mr. Amit Gupta, AAG

ORDER



Per Mr.Rakesh Sagar Jain, Member (J)

1. Applicant Kavita Manhas has filed this O.A. with a prayer that the respondents be directed to get her medical examination by the Standing Medical Board of Government Medical College, Jammu, and consider her representation to allow her to continue at her place of posting, on the basis of the medical report to be submitted by the Medical Board.
2. Heard.
3. Learned counsel submits that the applicant had submitted a representation dated 03.01.2019 (Annexure-D) to Respondent No. 1, to allow her to continue at her present place of posting, on medical grounds. In pursuance thereto, Respondent No. 1 directed Respondent No. 2 to send comments/recommendations in the matter along with information and Medical Certificate to be issued by Standing Medical Board. He contends that the applicant submitted another representation dated 06.05.2019 for issuance of appropriate direction for her medical examination by the Standing Medical Board and to consider her case as per the medical report to be issued by the said Medical Board. He further contends that till date nothing has been done by the respondents. Therefore, he prays that this O.A. may be disposed of with a direction to the concerned respondents to consider and decide representation of



the applicant based on medical grounds after getting her medically examined by the Standing Medical Board as directed to Respondent No. 1.

4. Mr. Amit Gupta, learned AAG seeks time to file counter affidavit.

5. However, looking to the limited prayer of the applicant, we dispose of this O.A., with a direction to the respondents to consider and dispose of the indicated representation (Annexure IV) of the applicant as per the medical certificate issued by Standing Medical Board, GMC Jammu (Refer letter dated 01.04.2019 of Under Secretary to Government School Education Department addressed to Director School Education, Jammu), by passing a reasoned and speaking order in accordance with law and rules, with intimation to the applicant, within a period of one month from the date of receipt of an e-mail copy of this order. The office to send a copy of e-mail to learned AAG, who shall transmit the same to respondents via e-mail. Registry to supply hard copy of order to the parties, as per rules.

6. Needless to mention that we have not expressed any opinion on merit of the case. No costs.

(Rakesh Sagar Jain)
Member (J)

(Dr. Bhagwan Sahai)
Member (A)

'mw'