

**Central Administrative Tribunal
Jammu Bench, Jammu**

Hearing through video conferencing

O.A. No.61/540/2020

Tuesday, this the 25th day of August, 2020

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

Anita Sharma, Age 45 years,
D/o Nek Ram Sharma,
R/o House No.166, Dream City,
Dharmal, Muthi, Jammu

- Applicant

(By advocate: Mr. M.K. Bhardwaj)

VERSUS

1. U.T. of Jammu and Kashmir
Through its Commissioner/Secretary to
Government, School Education Department,
Civil Secretariat, Jammu.
2. Director School Education,
Jammu.
3. Chief Education Officer,
Jammu
4. Govt. Girls Higher Secondary School,
Muthi, Jammu

- Respondents

(By advocate: Mr. Sudesh Magotra)

ORDER (ORAL)

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

The applicant was appointed as Junior Assistant in the Zonal Education Office of Udhampur District, and was working at Tikri. It is stated that she married a person in Jammu District and on a request made by her, she was transferred to Jammu District, for a period of two years on 15.09.2017. Recently the Government has decided to restore the employees in the Education Department to their original places of posting. In the process, the applicant was relieved from her duties at Jammu on 10.08.2020 and was directed to report to the office of CEO, Jammu for necessary directions. This OA is filed challenging the order dated 10.08.2020.

2. The applicant contends that once the transfer was on the ground of her marriage, there was absolutely no basis for the respondents to relieve her.

3. We heard Mr.Gagan Kohli and Mr.M.K.Bhardwaj, learned counsel for the applicant and Mr.Sudesh Magotra, learned standing counsel for the respondents at the stage of admission.

4. In the recent past, the Government of J&K has taken a decision to ensure that the employees of the Education Department are resorted to the places where they have been appointed/posted initially. The transfers of such employees to other districts were virtually withdrawn. In the process the applicant was relieved.

5. The transfer of the applicant from Udhampur to Jammu was not on account of any temporary inconvenience or hardship. It was on the ground of her marriage with a person in Jammu District. Normally such transfers are required to be made on permanent basis. Even now the applicant can make a request to the concerned authority to transfer her on permanent basis to Jammu District.

6. We, therefore, dispose of this OA directing the respondents shall consider the representation made by the applicant to transfer her to Jammu District shall be considered and appropriate orders to be passed thereon, within a period of two months from the date of receipt of a copy of this order. There shall be no order as to costs.



(BHAGWAN SAHAI)
MEMBER(ADMN.)

(JUSTICE L. NARASIMHA REDDY)
CHAIRMAN

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