

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

O.A. No. 61/274/2021

This the 19th day of February, 2021

**HON'BLE MR. RAKESH SAGAR JAIN, MEMBER (J)
HON'BLE MR. ANAND MATHUR, MEMBER (A)**



Jamshed Begum aged 52 years, W/o Dr. Ashfaq Ahmed Kohli, R/o Village Kalar Katal, Tehsil Suranote Distt. Poonch. At Present H. No. 29 Bathindi More Jammu.

.....Applicant

(Advocate:- Mr. Khalid Mustafa Bhatti)

Versus

1. Union Territory Of Jammu and Kashmir through Secretary to Government, Education Department, Civil Sectt. Jammu-180001
2. Director, School Education, Jammu-180001.
3. Chief Education Officer, Jammu-180001

.....Respondents

(Advocate: Mr. Sudesh Magotra, Additional Advocate General)

**O R D E R
[O R A L]**

(Delivered by Hon'ble Mr. Anand Mathur, Member-A)

Learned counsel for the applicant submits that the applicant was appointed as Teacher in the year 1988 in District Cadre Poonch. In the year 2011, the applicant donated one of her kidneys to her daughter as she suffered from Chronic Renal Failure and hence, the applicant is surviving only on one kidney and as such the applicant as well as her daughter are under critical care and on immunosuppressive drugs and have to undergo regular tests and medical check up at hospitals in Jammu and Delhi. In these circumstances, the applicant applied for her transfer to District Jammu on medical grounds. After conducting requisite inquiry into the matter, sanction was accorded to inter-district transfer of the applicant on medical grounds for a period of two years which expired in April 2020. The applicant represented well in time for extension, however, no order has been passed on the same.

2. Learned counsel for the applicant further submits that the applicant would be satisfied, if a direction is issued to the respondents to consider and take a decision in the case of the applicant within a stipulated time frame.



3. We have heard Mr. Khalif Mustafa Bhatti, learned counsel for the applicant and Mr. Sudesh Magotra, Deputy Advocate General for the respondents.

4. Looking to the facts and circumstances of the case as well as limited prayer made by the learned counsel for the applicant, the O.A. is disposed of with direction to the respondents to consider and take a decision on the request of the applicant for extension of her term fixed by the Government Order No. 629-EDU of 2018 dated 26.04.2018 or her permanent absorption in District Cadre Jammu against the post on which she is presently working within a period of three weeks from the date of receipt of certified copy of this order. While taking a decision, the respondents would also consider the recommendation letter of the Chief Education Officer dated 26.05.2017. Till a decision is taken on the request of the applicant, the respondents will not transfer the applicant from her present place of posting, if not already transferred.

5. It is made clear that we have not entered into the merits of the case.

6. There shall be no order as to costs.

(ANAND MATHUR)
MEMBER (A)

Arun

(RAKESH SAGAR JAIN)
MEMBER (J)