

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

OA No. 061/889/2020

This the 05th day of October, 2020

**HON'BLE MR. RAKESH SAGAR JAIN, MEMBER (J)
HON'BLE MR. PRADEEP KUMAR, MEMBER (A)**

Lovely Devi, age 37 years, W/o Deputy Nath Sharma, R/o Lower Gadigarh,
Tehsil & District Jammu.

.....Applicant

(Advocate: Mr. M.R. Qureshi)

Versus

1. Union Territory of J&K, through Commissioner/ Secretary to Government School Education Department, Civil Secretariat, Jammu.
2. The Director, School Education Department, UT of Jammu and Kashmir, Jammu.
3. Chief Education Officer, Office of the CEO, Jammu, UT of Jammu and Kashmir, District Jammu.
4. Zonal Education Officer, UT of Jammu and Kashmir, Zone Satwari, District Jammu.

.....Respondents

(Advocate: Mr. Sudesh Magotra)



ORDER
[O R A L]

Delivered by Hon'ble Mr. Rakesh Sagar Jain, Member (J): -



The applicant, Lovely Devi, was appointed as Teacher and posted in district Rajouri. On her representation since she has got married in Jammu district, she was transferred to Jammu district on marriage ground for a period of two years and at present working in Government Middle School, Bhour Pind.

2. As a general policy, the respondents have decided to restore the deployment of the teachers to their original places of posting. The applicant contends that there was no basis for the respondents to transfer her to Rajouri District.

3. Heard Mr. M.R. Qureshi, learned counsel for the applicant and Mr. Sudesh Magotra, learned D.A.G. for respondents.

4. It is no doubt that the applicant who was appointed as a Teacher in District Rajouri was transferred on marriage grounds to Jammu in the year 2018. The fact, however, remains that the respondents have taken a general policy decision to restore the teachers to their original places of posting. This appears to be on account of the fact that quite large number of teachers were transferred outside their units of posting. This is not a case where any individual has picked for redeployment.



5. The applicant contends that she made a representation to the concerned authority for continuing her at Jammu for some more time citing her marriage and children. It is for the concerned authority to take a decision. We cannot single out the applicant, in the context of the implementation of the policy decision. At the same time the representation of the applicant needs to be considered.

6. We, therefore, dispose of the O.A. directing that the respondents shall pass orders on the representation submitted by the applicant within a period of four weeks from today. In case, the applicant has not been relieved as yet, she shall be continued at that place for a period of four weeks. Further steps would depend upon the nature of the decision, which the respondents may take on the representation. We make it clear that if the applicant had already relieved, the direction as to continuing her in the same place would not be effective.

7. There shall be no order as to costs.

(PRADEEP KUMAR)
MEMBER (A)

sks/-

(RAKESH SAGAR JAIN)
MEMBER (J)