

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 20TH DAY OF SEPTEMBER, 2001

Original Application No.1131 of 2001

CORAM:

HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

Smt.Jagriti Shukla, W/o  
Shri D.S.Shukla, R/o Jawahar  
Navodaya Vidyalaya, Barua Sagar  
Jhansi.

....Applicant)

((Applicant in person)

Versus

1. Union of India through  
The Secretary, Ministry of  
Human Resources Development  
New Delhi.
  2. The Deputy Director,  
Navodaya Vidyalaya Samiti  
Lucknow Region, Lucknow.
  3. The Principal, Jawahar Navodaya  
Vidyalaya, Barua Sagar,  
Jhansi.
  4. Mrs.Farzana Ibrahim
  5. Miss Preeti Gupta
  6. Mrs Manju
  7. Mrs.Meena Sinha
  8. Mrs Sharlie Manual
  9. Mrs.Shashi Aggarwal
  10. Mrs.Malti Banoria
  11. Mr.Ganesh Kumar
  12. Mr.M.B.Sharma
  13. Mr.Gyanendra Kumar
  14. Mrs.Geeta Ravi Verma
  15. Mrs.Vaidehi Soni
  15. Mrs.Vaidehi Soni
  16. Smt.Anita Sharma
- 1 to 16 all teachers of Jawahar  
Navodaya Vidyalaya Barua,  
Sagar, Jhansi.

...Respondents



O R D E R(Oral)

JUSTICE R.R.K.TRIVEDI,V.C.

By this application applicant has challenged the orders dated 9.7.2001 by which she has been transferred from Jhansi to Basti as P.E.T.(F) teacher. The applicant had earlier filed OA No.900/01 which was disposed of by order dated 27.7.2001 with the direction to respondent no.2 to consider and decide the representation of the applicant by a reasoned order within a month. For a period of six weeks transfer of the applicant was stayed. The representation of the applicant has been decided by respondent no.2 vide order dated 27.8.2001, aggrieved by which applicant has again approached this Tribunal. From perusal of the order it appears that applicant has been transferred in public interest under the policy of the Samiti as she has completed five years at Jhansi. It has been stated that at her place Smt.Anita Sharma respondent no.16 impleaded today has already joined. It is also stated in the order that request of Smt.Anita Sharma has been accepted as her request has been found to be more genuine. She has given birth to a baby daughter in june 2001 and has also a small son. Her husband is working at BHEL in Jhansi. Considering the facts and circumstances of the applicant and respondent no.16 if the respondents have taken a particular stand it cannot be said that it is discriminatory. It is true that there may be difficulty on the part of the applicant <sup>and</sup> ~~as~~ it shall be hard for her to live separate from her husband for a long time. Her case is that she has not been able to live with her husband as he was posted at Kanpur and when he has been transferred from Kanpur to Jhansi applicant has been transferred to Basti, a far away place from Jhansi. The case of the applicant in the aforesaid facts also appears to be genuine.

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In the aforesaid facts and circumstances this OA is disposed of finally with the liberty to the applicant to make an application before respondent no.2, Deputy Director Navodaya Vidyalaya Samiti, Lucknow Region, Lucknow to consider her case for being accommodated at some other place, which may be nearer to Jhansi from where her husband may visit her atleast once in a week. I hope ~~if~~ that ~~if~~ the applicant makes application it shall be considered and decided sympathetically at an early date. It shall also be open to the applicant to make application for interim arrangement during the pendency of her representation which shall also be considered and decided by respondent no.2 within a week. There will be no order as to costs.

A copy of this order shall be given to the parties within 24 hours.

  
VICE CHAIRMAN

Dated: 20th Sept.2001

Uv/