



**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

ORIGINAL APPLICATION NO.60/401/2021

DATED THIS THE 19TH DAY OF APRIL, 2021

CORAM:

HON'BLE SHRI SURESH KUMAR MONGA, MEMBER (J)

(On video conference from Central Administrative Tribunal, Chandigarh Bench, Chandigarh).

HON'BLE MRS. AJANTA DAYALAN, MEMBER(A)

(On video conference from Central Administrative Tribunal, Chandigarh Bench, Chandigarh).

Dr. Rupinder Kaur, aged 44 years, D/o Sh. Devinder Singh, presently working as Assistant Professor (on Contract) Group 'B', Government College of Yoga Education & Health, Sector-23, Chandigarh.

....Applicant

(By Advocate SH. R.K. SHARMA – through video conference)

Vs.

1. Union Territory, Chandigarh Administration through Advisor to Administrator, U.T Secretariat, Sector-9, Chandigarh-160009.
2. Director Higher Education, Union Territory, Chandigarh Administration, U.T. Secretariat, Additional Deluxe Building, Sector-9, Chandigarh-160009.
3. Principal, Government College of Education, Sector 20-D, Chandigarh.
4. Principal, Government College of Yoga Education & Health, Sector-23, Chandigarh.

.....Respondents



O R D E R (ORAL)

PER: SURESH KUMAR MONGA, MEMBER (J)

The present Original Application has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 seeking therein the following relief:-

- “8(i) Quash Order No.GCE-20/EA/20221/26-29 dated 05.01.2021, passed by Respondent No.3 (Annexure A-1), whereby applicant who was working as Assistant Professor, Guidance and Counselling, Government College of Education, Sector 20-D, Chandigarh has been transferred and posted to Government College of Yoga Education and Health, Sector-23, Chandigarh to teach subject of Psychology.
- (ii) Issue directions to the respondents to transfer back to applicant to the post of Assistant Professor, Guidance and Counselling, Government College of Education, Sector 20-D, Chandigarh for which she possesses the qualification and was appointed as a result of open selection after competing with others.”
2. At the very outset, learned counsel representing the applicant, submitted that before filing the present Original Application, the applicant submitted a representation dated 15.01.2021 (Annexure A-4) on which no decision has been taken by the respondents upto now. He further submitted that the applicant will be satisfied if a direction is issued to the respondents to decide his pending representation by way of a reasoned and speaking order.
3. Keeping in view the aforestated limited prayer made by learned counsel for the applicant, we deem it appropriate to dispose of the present Original Application at the admission stage itself without entering into the merits of the case.



4. Accordingly, the Original Application is disposed of with a direction to Director Higher Education, Union Territory, Chandigarh (Respondent No.2) to decide the applicant's pending representation dated 15.01.2021 (Annexure A-4), and pass a reasoned and speaking order in accordance with law. Before taking such a decision, an opportunity of hearing shall also be afforded to the applicant. The whole exercise shall be undertaken within a period of one month from the date of receipt of a certified copy of this order.

5. Ordered accordingly. However, there shall be no orders so as to costs.

(AJANTA DAYALAN)
MEMBER (A)

(SURESH KUMAR MONGA)
MEMBER (J)

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