

Dt. 05.04.2002

Hon'ble Mrs. Meera Chhibber, Member- J.

Sri A.K. Upadhyaya, the learned counsel for the applicant. Sri N.P. Singh, the learned counsel for the respondents. M.A No. 1541/02 has been filed by the applicant with the prayer to extend the stay order which was not extended on the last date. I have perused the order-sheet and have seen that the interim order has been continued from date to date and on the last date, the case has been adjourned as the learned counsel for the respondents was ill and it seems that the interim order could not be extended. The request is bonafide and I am satisfied that the interim order needs to be extended in view of the facts mentioned in the MA. The MA is allowed.

2. In this OA, the grievance of the applicant is that she was transferred from K.V, A.F.S, Barnala to K.V No. 2, Dehradun vide order dated 30.10.1999. However, by order dated 27.11.1999, the Principal cancelled the joining of the applicant which has been challenged in this O.A. The Tribunal has granted stay and she continued at the place where she had joined i.e. Dehradun. During the pendency of the O.A, as stated by the respondents in Suppl. counter affidavit, there are some developments which have taken place. The respondents have stated that due to voluntary retirement of Smt. Chhaya Sharma T.G.T (Hindi) in K.V No.2 to Hathibarkala, one post of T.G.T (Hindi) is clearly vacant, the applicant is working against the same. In these circumstances, the present O.A has become infructuous. In view of the statement made by the respondents that applicant would not be disturbed at Dehradun, the O.A has become infructuous. Accordingly the OA is disposed off having become infructuous.

3. There shall be no order as to costs.



Member- J.

/Anand/