

**Reserved**

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD**

**Original Application No. 810 of 2002**

Wednesday, this the 19<sup>th</sup> day of December, 2007

**Hon'ble Mr. K.S. Menon, Member (A)**

Smt. Manjula Malaviya, Pet wife of Sri Rajni Kant Malaviya, House No. T.C.S.5 Iffco, Phulpur, District Allahabad.

**Applicant**

**By Advocate Sri R.K. Malaviya**

**Versus**

1. Union of India through Secretary, Ministry of Human Resources Development, Shastri Bhawan, New Delhi.
2. Commissioner, Kendriya Vidyalaya Sangathan, 18 Institutional Area, Shaheed Jeet Singh Marg, New Delhi.
3. Deputy Commissioner (Administration), Kendriya Vidyalaya Sangathan, 18, Institutional Area, Shaheed Jeet Singh Marg, New Delhi.
4. Assistant Commissioner, Kendriya Vidyalaya Sangathan Sector- 'J', Aliganj, Lucknow.
5. Principal Kendriya Vidyalaya, Iffco, Phulpur, Allahabad.
6. Sri M.K. Rao, Deputy Commissioner (Administration), Kendriya Vidyalaya Sangathan, 18, Institutional Area, Shaheed Jeet Singh Marg, New Delhi.

**Respondents**

**By Advocate Sri N.P. Singh**

**O R D E R**

**By K.S. Menon, Member (A)**

In this O.A. filed under Section 19 of the Administrative Tribunals Act, 1985, the applicant has challenged the Order dated 17.04.2002 issued by respondent No.3 by which the applicant was transferred from Kendriya Vidyalaya, Phulpur, Allahabad to Kendriya Vidyalaya, Narangi. The applicant approached this Tribunal by filing O.A. No. 470 of 2002. This O.A. was disposed off vide Order dated 26.04.2002 with directions to the respondents to dispose off the applicant's representation with a reasoned and speaking order. The applicant was relieved from Kendriya



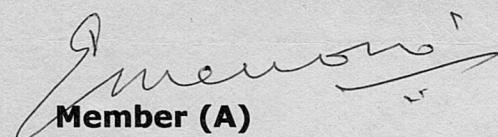
Vidyalaya, Phulpur, Allahabad on 22.04.2002 and was taken back on duty on 14.05.2002. In compliance of this Tribunal's order dated 26.04.2002, the respondent No.2 passed a detailed and speaking order dated 28.06.2002 rejecting the applicant's plea for canceling the transfer order dated 17.04.2002 on the grounds that she was suffering from Cancer and unable to move to Narangi. Being aggrieved the applicant filed this O.A. challenging both the Orders dated 17.04.2002 and 28.06.2002. This Tribunal passed an interim order dated 16.07.2002 by which the impugned order dated 17.04.2002 and 28.06.2002 were held in abeyance pending outcome of this O.A. The interim order has been continuing since then and the applicant was retained at Phulpur, Allahabad. The applicant retired from service on 31.08.2007 during the pendency of this O.A.

2. In view of the above, the interim order dated 16.07.2002 passed by this Tribunal is made absolute and the O.A. has become infructuous and is accordingly dismissed as infructuous.

3. The applicant moved a Misc. Application No. 1023 of 2007 on 08.05.2007 during the pendency of the O.A., praying for directions of this Tribunal to the respondents to release all the medical claims and T.A./D.A. of the applicant alongwith interest especially in view of the applicant's impending retirement in August, 2007. The applicant submitted her medical bills periodically from 2001 onwards totaling approximately Rs.30,000/- details of which are given paragraphs No. 2 & 3 of the M.A., which is yet to be settled by the respondents.

4. In view of the above, respondents are directed to consider all pending medical and TA/DA claims of the applicant and settle the same, in accordance with the rules within a period of two months from the date of receipt of a copy of this order and inform the applicant accordingly.

5. The M.A. No. 1023 of 2007 is accordingly disposed of with the above directions. No order as to costs.

  
Member (A)

/M.M/