

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD  
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O.A. NO. 667 of 2003

Dated : This the 25th day of May, 2004

HON'BLE MRS. MEERA CHHIBBER, J.M.

Smt. Late Gupta, P.R.T.,  
W/o Shri R.B.Gupta,  
R/o - Type - III - 83 Kendranchal  
Colony, Neem Sarai, Allahabad.  
District Allahabad.

...Applicant.

By Advocate : Shri Satish Mandhyan

Versus

1. Union of India, through Secretary (Education) Ministry of Human Resources Development Shashri Bhawan, New Delhi.
2. Commissioner, Kendriya Vidyalaya Sangathan Institutional Area, 18, Shaheed Jeet Singh Marg, New Delhi.
3. Deputy Commissioner (Administration), Kendriya Vidyalaya Sangathan, Institutional Area, 18 Shaheed Jeet Singh Marg, New Delhi.
4. Education Officer, Kendriya Vidyalaya Sangathan, Institutional Area, 18 Shaheed Jeet Singh Marg, New Delhi.
5. Assistant Commissioner, Kendriya Vidyalaya Sangathan (Regional Office) Lucknow Region, Sector-J, Aliganj, Lucknow.
6. Principal Kendriya Vidyalaya, Bamrauli, Allahabad.

...Respondents.

By Advocate: Shri D.P.Singh

O R D E R

By Hon'ble Mrs. Meera Chhibber, JM

Respondents have filed M.A.No. 4297 of 2003 with a prayer to dismiss the O.A. as the same has become infructuous, in view of the fact that applicant had challenged her transfer from Kendriya Vidyalaya Bamrauli to Kendriya Vidyalaya No.1, Jodhpur issued vide order dated 31.3.2003, which was challenged by her in O.A.No. 389 of 2003, which was disposed off

by giving direction to the respondents vide order dated 22.4.2003 to file his representation after joining at Jodhpur. The Commissioner, K.V.S., New Delhi decided her representation vide order dated 30.5.2003, which was challenged by the applicant in the present O.A. but inspite of Court's earlier direction applicant had not joined at Jodhpur, therefore, <sup>the R</sup> this Court directed ~~to~~ applicant to join at Jodhpur. Pursuant to which, she joined at Jodhpur and again applied for transfer from Jodhpur to Kanpur. Her request was considered and she has now been transferred from Jodhpur to Kendriya Vidyalaya No.1 Chakeri, Kanpur vide order dated 25.8.2003(Annexure-1). It is submitted by the respondents that applicant has submitted her joining at Kendriya Vidyalaya No.1, Chakeri, Kanpur on 18.9.2003 and her joining certificate has been annexed as Annexure-2. They have, thus, submitted that since she is working at her choice place, the O.A. has become infructuous and the same may kindly be dismissed.

2. This application was filed by the respondents on 10.11.2003 after serving a copy of the same on counsel for the original applicant. They have till date not filed any reply, therefore, I am satisfied that there is nothing more that ~~exists~~ <sup>is</sup> to be ~~background~~ looked into. In this ~~case~~, the M.A.No. 4297/03 filed by the respondents is allowed. The O.A. is dismissed as having become infructuous. In case any grievance ~~exists~~ <sup>is</sup> of the applicant still ~~not made~~, she would be at liberty to file M.A. to revive the O.A..

3. There will be no order as to costs.