

2
O.A.NO. 949 / 2002.

ORDER DATED 9-10-2002.

Seen the defects pointed out by the Registry.
Heard. with regard to defects 1 and 3 the learned
counsel for the Applicant undertakes to remove the same
by 11-10-2002. On the face of the said undertaking, let
this O.A. be registered and a number be given.

Applicant

Vice-Chairman 9/10

Member (Judicial)
09.10.2002

2. ORDER DATED 9-10-2002.

Applicant having faced transfer from Jawahar
Navodaya vidyalaya, Belpada, District: Bolangir (Orissa)
to Jawahar Navodaya vidyalaya, Malhar in the district
of Bilaspur (MP) approached this Tribunal in OA No. 802/2002
and the said O.A. was disposed of on 16-09-2002 leaving
the matter to the Respondents to look into the grievances
of the Applicant raised in the said O.A. and give him
necessary reliefs, as due and admissible, under the Rules,
within a period of one month. Before taking any action
in our direction dated 16-09-2002, the Deputy Director
of Jawahar Navodaya vidyalaya Samity (Regional Office)
at Bhopal has issued a letter dated 17-9-2002 requiring
the applicant to report at Bilaspur by 30th September, 2002.
It is the case of the Applicant in the present O.A. that
the said letter dated 17th September, 2002 reached the

.... 4
6

3
O.A.NO. 949 /2002.

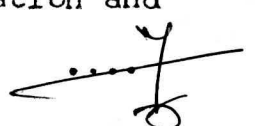
Contd...Order No.2,dated 09-10-2002

the Applicant on 30th September, 2002 itself; for which she has not been able to act upon the same as yet. In the said letter dated 17th September, 2002, a threat has been given to the Applicant to face a departmental proceedings, under Central Civil Services (Classification, Control and Appeal) Rules, 1965, if she fails to comply the orders of the superior authority in reporting her duty at Bilaspur by the date fixed. In the said premises, the Applicant has filed this Original Application under section 19 of the Administrative Tribunals Act, 1985 praying to quash the order dated 17.9.02 under Annexure-6 with a direction to the Respondents to give her a posting as P.G.T. (Math.) in any Jawahar Navodaya vidyalaya in the state of Orissa.

We have heard the Advocate for the Applicant and Mr. A.K. Bose, learned Senior Standing Counsel for the Union of India, on whom a copy of this application has been served.

It appears, the Respondents have not yet acted upon the order of this Tribunal dated 16-9-2002 rendered in O.A.No. 802/2002. It further appears that the letter dated 17-09-2002 has been issued by the Dy. Director, JNV Samity, at Bhopal on the basis of the representation dated 14-08-2002 of the Applicant.

In the said premises, this Original Application is disposed of, at the admission stage, with a direction to the Respondents, again to look to the grievances of the Applicant as raised in her Original Application and




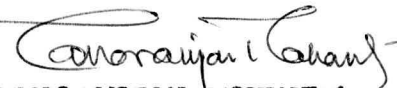
O.A.NO. 949/2002.

contd...Order No.2,dated 09-10-2002.

give her necessary reliefs,as due and admissible,in the facts and circumstances of the case by the end of October, 2002.we hope and trust, the Respondents will exercise their due diligence with a ^{tinge} ~~tinge~~ of sympathy in order to mitigate the hardship of the Applicant. Till a decision is taken in the matter,no coercive action need be taken against the Applicant,pursuant to Annexure-6,dated 17-09-2002.

Send copies of this order,alongwith,copies of the Original Application,with its enclosures,to the Respondents and free copies of this order be given to the learned counsel for the Applicant and Mr.A.K.Bose,learned Senior standing Counsel for the Union of India,appearing for the Respondents.



(B.N.SOM) 9/10
VICE-CHAIRMAN


(MANORANJAN MOHANTY)
MEMBER (JUDICIAL)
09.10.2002

KNM/CM.

Copy of order
dt. 9/10/02 issued
to all the experts
by posts.

The same copy
of order signed
to the counsels for
both side.


11.10.02
S.O.

my
11/9/02