

CENTRAL ADMINISTRATIVE TRIBUNAL, LUCKNOW BENCH

O.A. No. 570/06

Lucknow this the 2nd day of Feb., 2007.

Hon. Mr. Justice Khem Karan, Vice Chairman.

Smt. Hari Joshi, aged about 48 years, w/o Sri Jagdish Chand Joshi, R/o P&T Colony, H. No. Type 2 178, Sector K, Aliganj, Lucknow.

Applicant.

By Advocate Shri S.S.L. Srivastava.

Vs.

1. Council of Scientific and Industrial Research, through its Joint Secretary (Administration) Rafi Marg, New Delhi.
2. The Director, Central Drug Research Institution Chattar Manzil Palace, Lucknow.
3. Administrative Officer, Central Drug Research Institution Chattar Manzil Palace, Lucknow.
4. Section Officer, Central Drug Research Institution Chattar Manzil Palace, Lucknow.

Respondents

By Advocate Shri P.K. Srivastava for Shri A.K. Chaturvedi.

Order (oral)

By Hon. Mr. Justice Khem Karan, Vice Chairman.

1. Smt. Hari Joshi, is challenging the order dated 9.11.06 (Annexure -1) by which she had been deployed under Dr. Ram Raghbir, DOT Project. She is praying that the respondents be directed to allow her to work as Casual worker Group (I) in Library section itself and not to interfere in her peaceful working there.
2. Her case in brief is that she was initially appointed as Casual worker in 1986 and since then she is regularly working under the respondents. She says that she is due for regularization. It was by order dated 8.9.06 that she was transferred from Library to another place, against which she filed one O.A. No. 497/06 and while that O.A. was pending, the Administrative Officer, passed impugned order dated 9.11.06 for deploying her under Dr. Ram Raghbir, DOT Project. What she states in the O.A. is that there is no justification for disturbing her from Library section, where she had



been working for the last 20 years or so and none of such workers has ever been shifted from one place to another and only she is being subjected to this shifting.

3. The respondents have contested the claim by filing a written reply. They say that deployment order dated 11.9.06 is in the same project. According to them, the applicant has no right to continue in one section of the project and it is the prerogative of the respondents to take her services in any other section of same project.

4. During the course of arguments, Shri S.S.L. Srivastava has submitted that earlier O.A. which the applicant had filed against the transfer order dated 8.9.06 has virtually become in fructuous with the passing of order dated 9.11.06. After hearing the parties counsel and perusing the records the Tribunal is of the view that it would be sufficient if this O.A. is finally disposed of with a direction that in case the applicant gives any representation to the Director in connection with her deployment, ~~the grievance~~ ^{of} the circumstances justifying his contention, the Director shall take appropriate decision thereon. This Tribunal does not want to enter into the grievance or otherwise of ~~the grievance~~ of the applicant, as the Director is in a better position to assess the matter.

5. So, this O.A. is finally disposed of with the provision that in case the applicant gives a representation to the Director, within a period of 15 days from today, he shall consider the same sympathetically and pass suitable orders within a period of one month from the date such representation is so received by him. No order as to costs.


Vice Chairman