

Central Administrative Tribunal, Lucknow Bench, Lucknow

Original Application No.516/2007

This the 21st day of January 2008

Hon'ble Shri Justice Khem Karan, Vice Chairman

Ms. Rita Sachdeva aged about 52 years wife of Shri Ashok Sachdeva, Resident of H-39, Sector G, LDA Colony, Kanpur Road, Lucknow

Applicant

By Advocate: Sri A.K.Chaturvedi

Versus

1. Kendriya Vidyalaya Sangathan, 18, Institutional Area, Shaheed Jeet Singh Marg, New Delhi through its Commissioner.
2. The Commissioner, Kendriya Vidyalaya Sangathan, 18, Institutional Area, Shaheed Jeet Singh Marg, New Delhi.
3. The Assistant Commissioner, Kendriya Vidyalaya Sangathan, Regional Office, Sector J, Aliganj, Lucknow.
4. Principal, Kendriya Vidyalaya Army Medical Corp, Contonment, Lucknow.


Respondents

By Advocate; Sri Surendran P

ORDER(ORAL)


BY HON'BLE SHRI JUSTICE KEHM KARAN, VICE CHAIRMAN

Applicant filed this O.A. praying for quashing order dated 19/20.11.2007 (Annexure 1) by which she was transferred from



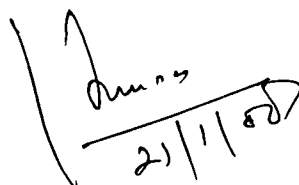
Kendriya Vidyalaya, Army Medical Corp., Lucknow to Kendriya Vidyalaya, IFF, CO, Bareilly. It appears from perusal of the order sheet that vide interim order dated 29.12.2007, respondent No.2 was directed to consider applicant's representations (Annexure 9 and 10) and in compliance of those orders, respondent passed order dated 7/8.1.2008 (Annexure S-3 to the application for interim relief filed today), modifying her transfer to Kendriya Vidyalaya, IIM, Lucknow against the vacancy that arose on 31.12.2007, on retirement of Smt. Manjula Barnwas, TGT (Hindi) KV IIM, Lucknow. Sri Chaturvedi has informed that applicant has joined on 16.1.2008 at Kendriya Vidyalaya, IIM, Lucknow and is working since then. He says that applicant was on medical leave from 12.11.2007 to 15.1.2008. What the applicant wants now is that this O.A. may be finally disposed of with a direction to the respondents to consider the request of the applicant for grant of medical leave for the period mentioned above and also to consider her representation dated 18.1.2008 for accommodating her at Kendriya Vidyalaya, AMC, Lucknow on superannuation of Smt. M.B. Gaur on 1.7.2008.

3. Sri Surendran P. Counsel for respondents state that it may not be practicable to accommodate the applicant at each and every occasion and moreover, the vacancy she is ^{holding at} ~~hitting~~ is likely to ^{arise} ~~arose~~ only after the retirement of Smt. M.B. Gaur on 30.6.2008.



4. I think after the applicant has joined at Kendriya Vidyalaya, IIM, Lucknow, there remains nothing to be decided in this O.A. Her request for asking the respondents to consider ^{to} grant of medical leave and to consider her representation ^{for accommodation} at AMC, Lucknow on retirement of Smt. M.B. Gaur, can be accepted.

5. O.A. is finally disposed of with a direction to the respondent No. 2 to consider grant of medical leave as per rules for the period from 12.11.2007 to 15.1.2008 and also to consider her representation dated 18.1.2008 for accommodating her at Kendriya Vidyalaya, AMC, Lucknow on retirement of Smt. M.B. Gaur. No costs.


21/11/08
Vice Chairman

HLS/-