

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH.

ORIGINAL APPLICATION NO. . . : 147 of 2000.

Dated this Thursday, the 1st day of June, 2000.

Mrs. Manorama Y. Meshram, Applicant.

In person. Advocate for the applicant.

VERSUS

Union of India & 2 Others, Respondents.

Shri V. G. Rege. Advocate for the respondents.

CORAM : Hon'ble Shri Justice R.G. Vaidyanatha, Vice-Chairman.

- (i) To be referred to the Reporter or not ?
- (ii) Whether it needs to be circulated to other Benches of the Tribunal ?
- (iii) Library.

Revised
(R.G. VAIDYANATHA)
VICE-CHAIRMAN.

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ORIGINAL APPLICATION NO.: 147 of 2000.

Dated this Thursday, the 1st day of June, 2000.

CORAM : Hon'ble Shri Justice R.G. Vaidyanatha, Vice-Chairman.

Mrs. Manorama Y. Meshram,
Post Graduate Teacher (Economics),
Kendriya Vidyalaya No. 1,
Air Force Station,
Pune - 32.
Resident of Kendriya Vidyalaya
Staff Quarters, Ganesh Khind,
Pune - 7.

... **Applicant.**

(Applicant in person)

VERSUS

1. Union of India
through its Secretary,
Ministry of Human Resources,
New Delhi.
2. Commissioner,
Kendriya Vidyalaya Sangathan,
18, Institutional Area,
Shahid Jeet Singh Marg,
New Delhi - 110 016.
3. Shri K. R. Choyal, Principal,
Kendriya Vidyalaya No. 1,
Air Force Station,
Pune - 32. ... **Respondents.**

(By Advocate Shri V. G. Rege).

OPEN COURT ORDER

PER : Shri R. G. Vaidyanatha, Vice-Chairman.

Today when the case is taken up for further arguments, it is now brought to my notice, both by the applicant who appeared in person and Shri V.G. Rege, the Learned Counsel for the respondents that the transfer order of applicant has been modified in pursuance of the order of the Tribunal dated 20.04.2000. The applicant submits that by order dated 08.05.2000 her earlier transfer order is modified and she is now

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posted to Kendriya Vidyalaya, Southern Command, Pune. The applicant further submits that she has joined the post in the transferred place on 17.05.2000.

2. The applicant makes a grievance that she is entitled to backwages from 13.01.2000 till 16.05.2000. But the respondents' counsel submits that applicant has been relieved on 13.01.2000 and she has not joined in the transferred place and she is even liable for disciplinary action. He further submits that applicant has made some allegations against the Principal and the matter is being looked into. I do not want to make any expression about the rival contentions made before me. The present application is filed challenging the order of transfer and in pursuance of the observation of this Tribunal in order dated 20.04.2000 the administration has modified the earlier order of transfer and posted the applicant to Pune. Therefore, as far as this O.A. is concerned, the matter comes to an end. Whether the applicant is entitled to claim backwages, as now made out or the question whether the respondents can take disciplinary action against the applicant, are matters which do not fall for consideration. All those questions are left open. Liberty to the applicant to apply to the administration for payment of backwages for that period or make a request for regularisation of her absence and it is open to the administration to consider this request and pass appropriate orders according to law. Hence, without expressing any opinion in the matter, the O.A. is disposed of since it has become infructuous, as the applicant has now been transferred to Pune itself. No order as to costs.



(R.G. VAIDYANATHA)

VICE-CHAIRMAN.