

(36)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

\*\*\*

O.A. 0137/96.

Dt. of Decision : 22-10-96.

Dr. (Mrs.) Lakshmi K.Rao

.. Applicant.

Vs

1. The Director,  
S.V.P.National Police Academy,  
Hyderabad.
2. The Secretary to Govt.of India,  
Min. of Health & Family Welfare,  
Nirman Bhavan, New Delhi.
3. The Additional Director,  
Central Govt. Health Scheme(CGHS),  
Swasthya Bhavan, Prakashnagar,  
Near Airport, Begumpet, Hyderabad. .. Respondents.

Counsel for the Applicant : Mr. Ch.Jagannatha Rao

Counsel for the respondents : Mr. V.Rajeswara Rao, Addl.CGSC.

CORAM:

THE HON'BLE SHRI R.RANGARAJAN : MEMBER (ADMN.)

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ORDER

ORAL ORDER (PER HON'BLE SHRI R.RANGARAJAN : MEMBER (ADMN.)

Heard Mr.Ch. Jagannatha Rao, learned counsel for the applicant and Mr.V.Rajeswara Rao, learned counsel for the respondents.

2. This application is filed challenging the order No.15011/39/94-Estt. dated 11-06-1996 (Annexure-I) whereby the applicant herein was relieved from the S.V.P. National Police Academy, Hyderabad and repatriated to C.G.H.S. w.e.f. the forenoon on 11-6-96.

3. In this OA an interim order was passed on 27-09-96 whereby the respondents should pay Rs. 5,000/- to the applicant which amount has to be adjusted against her pay and allowances in future. The main contention in this OA is that she has been relieved by the impugned order dated 11-06-96 by the incompetent authority. Hence this order of transfer is not a valid one. However, the competent authority has issued order No.A.35012/8/90-CHS-II (Annexure.R-~~IX~~ to the reply) transferring her to Delhi. That order was challenged by filing OA.No.1176/96. That OA was disposed of by directing the respondents in that OA to permit her to join back in SVP National Police Academy. It was further directed that she should file a representation if so advised for cancellation of her transfer to Delhi by the order dated 13-09-96 within a stipulated period and that representation when received should be disposed of before relieving her from SVP National Police Academy. It is stated that the applicant had been put ~~up~~ <sup>back</sup> in her earlier post from where she was relieved in SVP National Police Academy. It is also stated that she has filed a representation against the order of her transfer dt. 13-09-96. In view of the above later development the prayer in this OA to set aside her relieving order dated 11-6-96 has become infructuous. Hence, no order is necessary in this OA.

4. The applicant now submits that her period from the date of relief till she was put back to duty on 14-10-96 at SVP National Police Academy is to be treated as duty and she should be paid pay and allowance accordingly. The applicant may file a fresh representation to the authorities in regard to the above prayer for treating the above period as duty. If such a representation is received the concerned authorities should dispose of the same in accordance with law.

5. With the above direction this OA is disposed of at the admission stage itself with no order as to costs.

*Me*

(R. RANGARAJAN)  
MEMBER (ADMN.)

Dated : The 22nd October 1996.  
(Dictated in the Open Court)

*Amulya*  
22/10/96  
D. R. (I)

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O.A.NO.1137/96

## Copy to:

1. The Director,  
S.V.P.National Police Academy,  
Hyderabad.
2. The Secretary to Govt. of India,  
Min. of Health and Family Welfare,  
Nirman Bhavan, New Delhi.
3. The Additional Director,  
Central Govt. Health Scheme (CGHS),  
Swasthya Bhavan, PrakashNagar,  
Near Air ~~Reseek~~Port,  
Begumpet, Hyderabad.
4. One copy to Mr.Ch.Jagannatha Rao, Advocate,  
CAT, Hyderabad.
5. One copy to Mr.V.Rajeswar Rao, Addl.CGSC,  
CAT, Hyderabad.
6. One copy to Library,CAT, Hyderabad.
7. One duplicate copy.

YLKR

9/13/1996 (40)

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Checked By  
Approved by

THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN: M(A)

DATED: 22/10/96

ORDER/JUDGEMENT  
R.A/C.P./M.A. NO.

in  
O.A. NO. 1137/96

~~ADMITTED AND INTERIM DIRECTIONS ISSUED~~  
~~ALLOWED~~

~~DISPOSED OF WITH DIRECTIONS~~

~~DISMISSED~~

~~DISMISSED AS WITHDRAWN~~

~~ORDERED/REJECTED~~

~~NO ORDER AS TO COSTS.~~

YLKR

II COURT

केन्द्रीय प्रशासनिक अधिकारण  
Central Administrative Tribunal  
प्रेषण/DESPATCH

-7 NOV 1996 New

हैदराबाद बैचली  
HYDERABAD BENCH