

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 430 of 2003

Jabalpur, this the 8th day of July 2003.

Hon'ble Mr. D.C. Verma, Vice Chairman (Judicial)
Hon'ble Mr. A.K. Bhatt, Administrative Member.

Smt. Chandra Prabha Singh,
W/o P.N. Singh, aged about
32 years, PET, presently
temporarily attached at
Jawahar Navodaya Vidyalaya,
Ramkiriya, District, Panna
(M.P.)

(By Advocate - Mr. Shashank Shekhar)

APPLICANT

VERSUS

1. Union of India,
Navodaya Vidyalaya
Samiti, through Director,
(Ministry of Human Resources
Development Department of
Education), A-39, Kailash
Colony, New Delhi.

2. The Deputy Director,
Navodaya Vidyalaya
Samiti, Regional Office :-
160, Zone - II, M.P.
Nagar, Bhopal - 4620011
M.P.

3. The Principal Jawahar
Navodaya, Vidyalaya
Samiti Ramkhiriya,
Panna, M.P.

4. S.Haque
160, Zone - II M.P.
Nagar, Bhopal 4620011
M.P.

(Advocate : Mr. O.P. Namdeo)

ORDER (ORAL)

Per D.C. Verma, Vice Chairman (Judicial) -

By this OA, the applicant has challenged the order dated 16.4.2003 by which after revocation of the suspension the applicant was transferred to Jawahar Navodaya Vidyalaya, Damoh. The order is challenged only to the extent that the applicant has been transferred to

Damoh. The applicant has made a representation dated 22.4.2003 (Copy at Annexure A-13) against this transfer order. The said representation is still pending.

2. As a representation is still pending, the OA is premature. It is for the respondents initially to consider the fact mentioned in the representation and decide the same. Only after the representation is decided, it is open for the applicant to approach the Tribunal. Learned counsel for the applicant submits that the impugned order be stayed meanwhile, but the learned counsel for the respondents Shri C.P. Namdeo submits that applicant has been already relieved. Learned counsel for the respondents further submits that the applicant was relieved after the earlier OA/703/2002 was dismissed by the order of this Tribunal dated 22.1.2003. Whatever may be the date of relieve, the fact is that the applicant is already relieved, so no stay is granted.

3. Learned counsel for both the parties agrees that the OA may be disposed of at the admission stage by giving a direction to the respondents to decide the representation of the applicant within stipulated time.

4. In view of the above, we dispose of this OA at the admission stage by directing the respondents to decide the applicant's representation dated 22.4.2003 (copy at Annexure A-13) within a period of one month from the date of receipt of a copy of this order. Decision so taken, shall be communicated to the applicant. It is also provided that the applicant shall not be forced to join the new place of posting and no coercive action



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be taken against the applicant till the representation is decided.

5. The OA stands disposed of. Cost easy.

A.K. Bhatt
(A.K. Bhatt)
Member (A)

D.C. Verma
(D.C. Verma)
Vice Chairman (J)

NK

पृष्ठोंकन सं. ओ/न्या.....जबलपुर, दि.....
परिलिखि आवेदित:-

- (1) राधिका, उत्तर लालहाटी घाट एसोसिएशन, जबलपुर
- (2) अमिताली, लालहाटी घाट काउंसल
- (3) प्रदीप, लालहाटी घाट काउंसल
- (4) यंकाला, लालहाटी घाट नवाहारी

सूचना एवं आवश्यक कार्यवाही हेतु

S. Shekhar
O.P. Xamalee

L.K.C.
काउंसल
११७०३

ISSUED
11/7/83
BY
M. B.
G.R.