

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH
CHANDIGARH**

O.A. No.060/00989/2014

Decided on: 07.11.2014

**Coram: Hon'ble Mr. Sanjeev Kaushik, Member (J)
Hon'ble Mr. Uday Kumar Varma, Member (A)**

Savita Rani w/o Sh. Khuswant Singh, r/o House No. 4, Laxmi Enclave,
Dhakoli, Zirakpur, Distt. SAS Nagar (Mohali).

.....Applicant

Versus

1. Chandigarh Administration through the Education Secretary, Union Territory, Chandigarh.
2. The Director, Public Instruction (S), Chandigarh Administration, U.T. Chandigarh.
3. The District Education Officer (Primary), Union Territory, Chandigarh.
4. Principal, Govt. Model Senior Secondary School, Sector 8, Chandigarh.

.....Respondents

Present: Mr. H.S. Saini, counsel for the applicant
Mr. Aseem Rai, counsel for the respondents

Order (Oral)

By Hon'ble Mr. Sanjeev Kaushik, Member(J)

1. Concededly, the applicant, who was appointed as a Guest Faculty Teacher with the respondents, has been replaced by a regularly selected candidate. Learned counsel submits that the applicant

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has been relieved from duty during the currency of her sanctioned leave and has not been paid salary for the leave period. He also submits that the applicant has preferred a representation dated 20.11.2012 (Annexure A-6 Colly) to the respondents to consider her claim, which is still pending with them.

2. Issue notice to the respondents.
3. On our asking, Mr. Aseem Rai, learned counsel, accepts notice on behalf of the respondents. He submits that in a case filed by the similarly situated persons like the applicant, who were also relieved of after appointment of regularly selected candidate, this Tribunal had directed that the applicants may be given preference, on the basis of their experience, in appointment against the posts advertised later on, if they apply and are found eligible. He further submits that let the respondents consider the claim with regard to release of salary for the sanctioned leave period and also her adjustment against the subsequently advertised posts in the light of the judicial pronouncement aforementioned.
4. In view of the above, the O.A. is disposed of with a direction to the Competent Authority amongst the respondents to decide the representation (Annexure A-6) moved by the applicant in the light of judicial pronouncement, as submitted by the learned counsel for the respondents, and pass a reasoned and speaking order

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within a period of one month from the date of receipt of a certified copy of this order.

5. Needless to say that we have not expressed any opinion on the merits of the case. No costs.

(UDAY KUMAR VARMA)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

PLACE: Chandigarh
Dated: 07.11.2014

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