

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

O.A No.060/001530/2017

Date of decision: 22.12.2017

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CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)

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Krishan Mohan son of Shri D.N. Srivastava, aged about 47 years, resident of House No.2292, Sector 19C, Chandigarh and presently posted as T.G.T. Science (Non Medical), Govt. Model Sr. Secondary School, Karsan, Chandigarh (Group 'C' employee).

...APPLICANT

VERSUS

1. The Union Territory of Chandigarh Administration through its Secretary, Department of Education, UT Secretariat, Chandigarh.
2. The Director, School Education, UT Chandigarh, Sector 9, Chandigarh.
3. The Deputy Director, School Education, UT Chandigarh, Sector 9, Chandigarh.

...RESPONDENTS

Present: Sh. Ramesh Sharma, counsel for the applicant.

ORDER (Oral)

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MR. SANJEEV KAUSHIK, MEMBER (J):-

1. Present O.A. has been filed wherein applicant seeks the following relief(s):-

"8(ii). Direct the respondents to immediately release the arrears of salary alongwith interest of the wrongful suspension period of the applicant from 04.08.2016 upto 6.10.2016 alongwith upto date interest and direct the respondents to consider to transfer the applicant back to the Government Middle School, Sector-45, Burail, Chandigarh from where he was wrongfully transferred without any reason within one year and against the policy".

2. Sh. Ramesh Sharma appearing on behalf of the applicant submitted that the applicant while working as TGT Science (Non-Medical subject) in the Chandigarh Administration was placed under suspension on 01.08.2016. Subsequent to that, he was reinstated on 06.10.2016 and was also transferred to another School. The

grievance of the applicant before this Court is that respondents have not paid arrears of salary for the period when he was under suspension for which the applicant has already submitted representation. He also submitted that action of the respondents in transferring the applicant is contrary to transfer policy. He, therefore, made a statement at the Bar that applicant will be satisfied if direction is issued to the respondents to decide his claim by passing a reasoned and speaking order in accordance with law and policy.

3. Considering a short prayer of the applicant, I feel that there is no need to put wheel in motion by issuing notice to the respondents as the applicant's prayer is only to decide his pending representation in accordance with law and policy. Therefore, I deem it appropriate to dispose of this O.A. at this stage with a direction to competent authority amongst the respondents to decide aforesaid representation of the applicant by passing a reasoned and speaking order within a period of four weeks from the date of receipt of a certified copy of this order. While taking a view, respondents are also directed to consider policy on the subject with regard to transfer.
4. Disposal of the O.A. in the above terms shall not be construed as an opinion on the merit of this case.

(SANJEEV KAUSHIK)
MEMBER (J)

Date: 22.12.2017.
Place: Chandigarh.

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