

(OPEN COURT)

**CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH
ALLAHABAD**

This is the 09th day of **APRIL, 2019**.

ORIGINAL APPLICATION NO. 330/332/2019

**HON'BLE MR JUSTICE BHARAT BHUSHAN, MEMBER (J)
HON'BLE MS AJANTA DAYALAN, MEMBER (A)**

1. Dr. Mridula Singh, aged about 50 years, Daughter of Sri Lal Singh, presently posted and working as Assistant Secretary, Central Board of Secondary Education, Regional Office, Civil Lines, Allahabad-211001.

.....Applicant.

VERSUS

1. Union of India through its Secretary, Ministry of Human Resources Development, Shashtri Bhawan, New Delhi-110001.
2. The Chairman/Chairperson, Central Board of Secondary Education, Preet Vihar, Delhi-110092.
3. The Secretary, Central Board of Secondary Education, Head Office, Preet Vihar, Delhi-110092.
4. The Chief Vigilance Officer, Central Board of Secondary Education, Head Office, Preet Vihar, New Delhi-110092.
5. The Regional Officer, Central Board of Secondary Education, Regional Office, 35-B, Civil Station, M.G. Marg, Civil Lines, Allahabad-211001.

.....Respondents

Advocate for the Applicant : Shri Dharmendra Tiwari

Advocate for the Respondents : Shri L P Tiwari

O R D E R

(Delivered by Hon'ble Mr. Justice Bharat Bhushan, Member-J)

Heard Shri Dharmendra Tiwari, learned counsel for the applicant and Shri L P Tiwari, learned counsel for the respondents.

2. It appears that the applicant Ms. Mridula Singh was transferred vide order dated 01.03.2018. However, Ms. Mridula Singh did not join at the new place of posting on account of reported sickness. It also appears that a letter was written by her father to the respondent authorities for staying the transfer. The Department vide order dated 30.05.2018 issued a charge sheet (Annexure No. A-3 to the OA) on the ground that undue influence was brought to bear upon the authorities for certain matter.

3. Learned counsel for the applicant further stated that the applicant has joined at the new place of posting i.e., Prayagraj (Allahabad), Uttar Pradesh and that she has also moved a representation/letter to the Chairperson, Central Board of Secondary Education, New Delhi on 11.06.2018 (Annexure No. A-11 to the OA). This letter is still pending with the respondents for disposal.

4. By way of this OA, the applicant has sought the relief of quashing of the transfer order dated 01.03.2018 as well as the charge sheet dated 30.05.2018. The Office has objected to the OA saying that two reliefs have been claimed which are not connected.

5. Learned counsel for the applicant has submitted that the reliefs are connected as the charge sheet has been issued merely for non-compliance of transfer order as well as for trying to influence the superior authorities.

6. We do not find any reasonable ground for staying the transfer order, therefore, we are not interfering with the transfer order. However, as the representation/letter dated 11.06.2018 is pending before the respondents for disposal, we believe that the representation should be disposed of expeditiously by the competent authority.

7. Learned counsel for the applicant has also submitted that grievance of the applicant would be met, if the representation/letter dated 11.06.2018 is decided by passing a reasoned and speaking order within a stipulated time.

8. Accordingly, the respondent no. 2/competent authority is directed to decide the representation/letter dated 11.06.2018 by passing a reasoned and speaking order and communicate the decision to the applicant within two months from the date of receipt of certified copy of this order.

9. With the above direction, the OA is disposed of. It is made clear that we have not entered into the merits of the case. No order as to cost.

(AJANTA DAYALAN)
MEMBER-A

(JUSTICE BHARAT BHUSHAN)
MEMBER-J