

**CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH**

Original Application No. 044/00377/2018

Date of Order: This, the 13th day of November 2018

THE HON'BLE SMT. MANJULA DAS, JUDICIAL MEMBER

Kh. Shanti Bala Devi
Working as Staff Nurse,
At Jawahar Navodaya Vidyalaya Thenzawl,
P.O.Thenzawl
Dist: Serchhip, Mizoram,
PIN-796181.

...Applicant

By Advocate: Mrs. U. Dutta

-Versus-

1. The Union of India
Through the Secretary to the Government of India
Ministry of Human Resource Development
Department of Education, New Delhi-110011.
2. The Commissioner,
Navodaya Vidyalaya Samity,
Institutional Area, Sector-62
Noida, Uttar Pradesh, Pin:201307.
3. The Deputy Commissioner,
Navodaya Vidyalaya Samity,
Regional Office, Temple Road
Barik Point Lachumiere, Shillong-793001.
4. The Principal
Jawahar Navodaya Vidyalaya Thenzawl
P.O.Thenzawl
Dist: Serchhip Mizoram, Pin-796181

...Respondents

O R D E R (ORAL)

MANJULA DAS, JUDICIAL MEMBER:

The instant petition has been preferred by the applicant under Section 19 of the Administrative Tribunals Act, 1985 seeking the following main reliefs:

8.1 That the Hon'ble Tribunal be pleased to direct the respondents to release/spare the applicant with immediate effect from the present place of posting at J.N.V Mizoram so as to enable her to join at her new place of posting at J.N.V Senapati in terms of the transfer order dated 13.08.2018.

8.2 That the Hon'ble Tribunal be pleased to direct the respondents either to accommodate the applicant anywhere in the State of Manipur with immediate effect or alternatively to accommodate the applicant at Senapati 1, in the proposed place of posting immediately on retirement of Smti A.Athia (Staff Nurse)."

2. Heard Mrs. U. Dutta, learned counsel for the applicant. Perused the pleadings and all the documents.

3. It was submitted by Mrs. Dutta that vide order dated 13.08.2018, the applicant was transferred and posted to JNV Senapati, Manipur from Mizoram in terms of the Final Transfer List (Round 01 & 02) ATD. However, said transfer order could not be materialized in view of the order passed by this Tribunal in

the case of one incumbent who is at the verge of retirement who was allowed by this Tribunal to continue till his retirement.

4. In this juncture, learned counsel submits that applicant's case be considered by the respondent authority as soon as possible by giving posting her at anywhere in the State of Manipur with immediate effect. Applicant also made representation dated 26.09.2018 which is pending disposal. Hence Mrs. Dutta prays for early disposal of the said representation dated 26.09.2018 by considering the case of the applicant to give posting in any place in the State of Manipur.

5. By accepting the prayer made by the learned counsel for the applicant and without going into the merit of the case and without issuing notice to the respondents, I hereby direct the respondent authority to dispose of the pending representation dated 26.09.2018 within a period of one months' from the date of receipt copy of this order. It is made clear that while disposing of the representation of the applicant, the respondent authority shall keep in mind the earlier transfer order dated 13.08.2018 by which the applicant was transferred from Mizoram to Manipur on her choice posting.

6. I hope and trust that the department will give relief to the applicant by posting her in any place in the State of Manipur.

7. O.A. stands disposed of at the admission stage itself accordingly. No order as to costs.

(MANJULA DAS)
MEMBER (J)

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