

Central Adminisrative Tribunal  
Principal Bench

O.A.No.1289/2003

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Hon'ble Shri Shanker Raju, Member(J)

New Delhi, this the 21st day of May, 2003

Dr (Smt.) Deepshika Jiwan Pandit  
Wife of Shri Jiwan Pandit  
Lecturer, National Council of  
Educational Research & Training  
r/o Type IV/7, NCERT Residential  
Complex, Nisirpur  
New Delhi - 45. .. Applicant

(By Advocate: Ms. Sandhya Goswami)

Vs.

1. The National Council of Educational Research & Training  
Sri Aurobindo Marg  
New Delhi - 16  
through its Secretary.
2. Prof. Krishna Kant Vashishtha  
Head, Deptt. of Elementary Education  
NCERT, Sri Aurobindo Marg  
New Delhi - 110 016.
3. Director, National Council of  
Educational Research & Training  
Sri Aurobindo Marg  
New Delhi - 110 016. .... Respondents

O R D E R(Oral)

By Shri Shanker Raju, M(J):

Applicant, who has approached the National Commission for Scheduled Castes and Scheduled Tribes, by an order dated 21.3.2002 it has been informed that the matter is under examination and the petitioner may not be relieved and her transfer order may be kept in abeyance.

2. By an order dated 13.3.2003 applicant had been transferred and posted to Regional Institute of Education, Bhubaneswar, and by an order dated 14.5.2003 she has been asked to join the post at Regional Institute of Education, Bhubaneswar latest by

23.5.2003 failing which action will be initiated for non-compliance of Council's orders. Against this order, no representation has been made by the applicant.

3. In the above circumstances, and in the light of the decision of the Apex Court in Union of India & Others v. S.L.Abbas, 1993(3) SLR 582, ends of justice would be met, if the present OA is disposed of with direction to respondents to treat the present OA as representation of applicant, against her transfer, and the same shall be disposed of by a detailed and speaking order within two weeks from the date of receipt of a copy of this order. Till then the impugned orders dated 13.3.2003 and 14.5.2003 shall not be given effect to. If the applicant is still aggrieved by the orders to be passed by the respondents, she is at liberty to approach this Tribunal in accordance with law. I order accordingly. No costs.

S. Raju

(Shanker Raju)  
Member(J)

/rao/

for M& for client