

(2022) 06 CAT CK 0049

In the Central Administrative Tribunal

Case No : Original Application No. 288 Of 2022 (CUTTACK)

Anamika Das

APPELLANT

Vs

Navodaya Vidyalaya Samiti

RESPONDENT

Date of Decision : 27-06-2022

Acts Referred:

Citation : (2022) 06 CAT CK 0049

Hon'ble Judges : Swarup Kumar Mishra Member (J)

Bench : Single Bench

Advocate : N. R. Routray, S. K. Pradhan

Judgement

Notes of The Registry_ Order of The Tribunal Heard learned counsel for the applicant and Mr. S. K. Pradhan, Ld. Counsel who enters appearance on behalf of the respondents.

Learned counsel for the applicant submitted that the applicant has filed this OA challenging the inaction of the Respondents in not taking any decision on her application dated 22.01.2014 for change of Home District from Jagatsinghpur to Cuttack. He submitted that as per Transfer Guidelines issued on 04.03.2022, no employee of Vidyalaya will be posted or transferred to his/her home district. The applicant was transferred to Jagatsinghpur vide order dated 28.04.2015 where her home district was mentioned as Cuttack. He submitted that in the result of LDE Exam 2018 published home district of the applicant was shown as Cuttack.

Learned counsel for the applicant submitted that Respondent No. 3 along with notification dated 28.01.2022 had forwarded amended Transfer Policy 2021 where in the departmental portal the home district of the applicant was shown as Jagatsinghpur. The applicant then submitted representation dated 13.04.2022 (Annexure A/10) to update her service book and show her home district as Cuttack. The said representation was forwarded by Respondent No. 6 to Respondent No. 4 vide letter dated 13.04.2022 (Annexure A/11) and further forwarded to 1st Respondent vide letter dated 18.04.2022 (Annexure A/12). He

submitted that the said representation is still pending and limited grievance of the applicant will be redressed, if a direction is given to the Respondents for disposal of the same before issuance of final transfer order.

Learned counsel for the respondents objected to the prayer for interim relief and sought time to take instruction.

However taking into consideration the facts, circumstances and limited prayer of the applicant, this OA is disposed of without expressing any opinion on the merit of the case with a direction to Respondent No. 1 to dispose of the representation dated 13.04.2022 (Annexure A/10) of the applicant, in https://cgat.gov.in/catlive/internal/order_content_view.php?no=7405 6/27/22, 3:27 PM https://cgat.gov.in/catlive/internal/order_content_view.php?no=7405 accordance with law, by way of passing a speaking and reasoned order to be communicated to the applicant preferably within a period of three weeks from date of receipt of copy of this order. It is also directed that final transfer order as far as applicant is concerned may not be issued for a further period of one week from the date of communication of such speaking and reasoned order to the applicant.

Copy of the order to both sides.