

(2019) 11 J&K CK 0022

In the Jammu And Kashmir High Court

Case No : Writ Petition (C) No. 2781 Of 2019, CM No. 5693, 7787 Of 2019

Neena Devi

APPELLANT

Vs

State Of Jammu And Kashmir And Others

RESPONDENT

Date of Decision : 27-11-2019

Acts Referred:

Citation : (2019) 11 J&K CK 0022

Hon'ble Judges : Tashi Rabstan, J

Bench : Single Bench

Advocate : C.M Koul

Final Decision : Disposed Of

Judgement

Tashi Rabstan, J

1. Petitioner has challenged impugned relieving order No. GMS/G/2019-20/26 dated 20.07.2019 issued by respondent No.4-Head Master, Government Middle School, Garn, Reasi, by virtue of which she has been relieved from Government Middle School, Garn, Reasi to Government High School, Manjikota for discharge of further duties.

2. The coordinate Bench of this Court on 29.07.2019, while considering the matter has put the respondents to notice and also stayed the impugned relieving order dated 20.07.2019.

3. Petitioner present in person before the Court submits that the impugned relieving order has been wrongly issued by respondent No.4 and the Chief Education Officer/Zonal Education Officer, Reasi (respondent Nos. 2&3) also admitted the mistake to the extent that the relieving order has been issued by respondent No.4 wrongly.

4. Petitioner present in person further submits that she will file a detailed representation before respondent No.2, projecting therein her grievances and prays that respondent No.2 may be directed to consider and decide the same

within a fixed time frame. Mr. C.M Koul, learned Sr. AAG, is not averse to the proposal put forth by the petitioner. He submits that the respondent No.2 shall consider the representation of the petitioner under rules. Their statements are taken on record.

5. In view of the statements made by the petitioner and Mr. C.M Koul, learned Sr.AAG, this petition is, disposed of, with a direction to the petitioner to submit a detailed representation to the Chief Education Officer, Reasi i.e., respondent No.2, projecting therein her grievances regarding transfer as well as release of salary, within a period of one week from today. On receipt of the representation to be filed by the petitioner, the respondent No.2 shall consider and take a decision thereon for cancelling the impugned relieving order by or before 16.12.2019. It is made clear that respondent No.2 shall also release the legitimate salary in favour of the petitioner by or before 16.12.2019, for the period she has worked. Till 16.12.2019, interim order dated 29.07.2019 shall continue.

6. Disposed of as above along with connected CMs.

7. A copy of this order be provided to Mr. C.M. Koul, learned Sr. AAG under the seal and signatures of Bench Secretary of this Court.