

(1999) 05 NCDRC CK 0108

In the National Consumer Disputes Redressal Commission

PRATHMIC VIDYALYA

APPELLANT

Vs

MADHURI DEVI

RESPONDENT

Date of Decision : 05-05-1999

Acts Referred:

Citation : 1999 2 CPC 499 : 1999 2 CPJ 360 : 1999 3 CPR 347

Hon'ble Judges : K.C.Bhargava , D.D.Bahuguna J.

Final Decision : Appeal allowed

Judgement

1. THIS is an appeal against the order dated 19.5.1998 passed by District Forum, Sonbhadra in Complaint Case No. 254/95.

2. THE facts of the case in brief are as under : That the complainant is a teacher who had been transferred to some other place. In spite of transfer order she did not join the place of posting. She was relieved from the place of working, but in spite of that she continued to work there. The case of the opposite party is that, after the transfer, the complainant has no right to continue. Thus, she is not entitled for any remuneration.

After perusal of evidence on record, the learned District Forum came to the conclusion that complainant has worked on her original post, therefore, she is entitled for payment of salary; hence payment of salary be made within 15 days from this order.

3. AGGRIEVED with the order, the appellant has come up with an appeal and challenged the correctness of the judgment of the District Forum. We have heard the learned Counsel for the parties and we find that learned District Forum has no jurisdiction to go into the matter as it relates to service of complainant. The complainant should have gone to the Tribunal to get his grievances redressed as learned District Forum has no jurisdiction to entertain such complaints. The complaint is, therefore, liable to be dismissed. ORDER The appeal is allowed. The complaint is dismissed and the order of District Forum is set aside. There will be no cost. Let the copy of this order be made available to the parties as per rule.

Appeal allowed. _____