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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

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Date of Decision: October 10, 2023+ **W.P.(C) 13344/2023****ARTI SRIVASTAVA**

..... Petitioner

Through: **Mr.Sidhanth Singh Sengar, Advocate**

versus

KENDRIYA VIDYALAYA SANGATHAN**THROUGH ITS COMMISSIONER & ORS.**

..... Respondents

Through: **Mr. R. Gowrishankar, Advocate.****CORAM:****HON'BLE MR. JUSTICE V. KAMESWAR RAO****HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA****V. KAMESWAR RAO, J.(ORAL)****CM APPL. No.52694/2023**

Exemption allowed, subject to all just exceptions.

Application stands disposed of.

CM APPL. No.52693/2023

1. This is an application seeking condonation of delay in filing the accompanying petition.

2. Suffice to state that the provisions of Limitation Act are not applicable to a writ petition. The challenge in this writ petition is to an order dated August 23, 2023 and in that sense, the petition is not hit by delay and latches.

3. Application is closed.

W.P.(C) 13344/2023 & CM APPL. No.52692/2023

1. The challenge in this writ petition is to an order dated August 23, 2023 passed by the Central Administrative Tribunal, Principal Bench, New Delhi



(hereinafter, referred to as the 'Tribunal') in OA No. 258/2023 whereby the Tribunal on the basis of the submission made by learned counsel for the petitioner for granting 15 days' time to join the place of posting has disposed of the OA filed by the petitioner herein by granting 15 days' time.

2. Today, learned counsel appearing for the petitioner contends that the transfer order be stayed till the culmination of the academic session of the children.

3. Suffice to state that the transfer order challenged is dated September 16, 2022, and as such, was passed more than a year back transferring the petitioner from Pune to Hassan, Karnataka. The plea based on academic session cannot be allowed to be urged for the reason that after the issuance of the transfer order, the academic session of the year 2023 is also over, still the petitioner has not joined the place of posting. Her plea is that during that period, there was stay operating in favour of the petitioner, as such, she did not join. If that be so, coupled with the fact that counsel for the petitioner himself has sought time of 15 days' for joining the place of posting, no further indulgence can be shown by this court.

4. We are of the view that the impugned order is not required to be interfered with. The petition is dismissed along with pending application, if any.

V. KAMESWAR RAO, J.

ANOOP KUMAR MENDIRATTA, J.

October 10, 2023/v