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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 4290/2023 & CM APPL. 16566/2023 -Stay

JAYA PURWAR

..... Petitioner

Through: Mr. Ankur Chibber, Advocate.

versus

KENDRIYA VIDYALAYA SANGATHAN AND ORS.

..... Respondent

Through: Mr. S. Rajappa, Advocate (*through
video conferencing*).

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

01.04.2024

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1. The present writ petition under Article 226 and 227 of the Constitution of India seeks to assail the order dated 27.03.2023 passed by the learned Central Administrative Tribunal in O. A. No. 608/2023. Vide the impugned order, the learned Tribunal has dismissed the original application filed by the petitioner wherein she had assailed the order dated 12.09.2022 transferring her to Gopalpur in pursuance to the transfer policy dated 12.09.2022.

2. Learned counsel for the parties are *ad idem* that in terms of the order passed by the Apex Court in SLP (Civil) No. 245825/2023 on 19.03.2024, the said transfer order is now required to be dropped and the petitioner is required to submit her fresh options in terms of the respondents' circular dated 27.03.2024. They further submit that now that the transfer order dated 12.09.2022 is itself required to be



dropped, the petitioner's challenge to the impugned order has been rendered infructuous. Learned counsel for the petitioner, however, submits that since the petitioner has already joined at Gopalpur, even though the order transferring her to Gopalpur is required to be dropped, she may be permitted to submit her fresh options in terms of the circular dated 27.03.2024 from Gopalpur itself.

3. Learned counsel for the respondents has no objection to this limited prayer.

4. In the light of the aforesaid, the writ petition alongwith pending application is disposed of as infructuous by making it clear that it will be open for the petitioner to submit her options in accordance with the circular dated 27.03.2024 from Gopalpur, whereafter she will, subject to any legal remedies, be governed by any fresh transfer order as may be passed by the respondents.

REKHA PALLI, J

TUSHAR RAO GEDELA, J

APRIL 1, 2024

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