



Government of Jammu & Kashmir
GOVT. MEDICAL COLLEGE,
10-Karan Nagar, Srinagar, J&K-190010
[HOSPITAL SECTION]



Subject:- Accord of consideration in the case of Mrs. Mahfooza Akhter versus UT of J&K & Others pursuant to Hon'ble Central Administrative Tribunal (CAT) Srinagar's Order (Oral) dated 05-08-2024 in O.A No. 470/2024.

O R D E R NO:- 419 -AH of 2024.

D A T E D :- 13 -09-2024.

Whereas, Mrs. Mahfooza Akhter, Sr. Grade Nurse of this institution has filed an application bearing No: O.A 470/2024 titled Mrs. Mahfooza Akhter versus UT of J&K & Others before the Hon'ble Central Tribunal Srinagar Bench, whereby she has sought consideration of application dated 18-07-2024 for her retention at Govt. Bone and Joint Hospital Srinagar issued and ordered vide this office order No. 213 of 2024 dated 16-07-2024.

And whereas, the Hon'ble Central Tribunal Srinagar Bench passed an order (Oral) in the matter on 05-08-2024 (received in this office on 09-08-2024), operative portion of which is reproduced as under:

"In view of the limited prayer made by the learned counsel for the applicant, the respondents are directed to consider the representation dated:- 18-07-2024 filed by the applicant within a period of 04 weeks from today in accordance with Law till then the applicant should not be relieved, if not already relieved."

And whereas, the case has been examined in light of the rules/orders governing the field & records available in the office and it has been found that the official was previously working in Govt. Chest Disease Hospital Srinagar and was transferred to Govt. Bone and Joint Hospital Srinagar vide order No. 773 AH of 2023 dated 10-10-2023 during the mass transfer in terms of Government directions issued from time to time. The official (petitioner) has now been aggrieved of order No: 213 of 2024 dated 16-07-2024 issued by Administrator Associated Hospitals wherein the petitioner was adjusted and transferred to Govt. Lalla Ded Hospital Srinagar.

And whereas, the applicant has approached for her retention at Govt. Bone and Joint Hospital Srinagar through Court of Law vide OA No. 470/2024 titled Mahfooza Akhter Vs Union territory of J&K and others requesting therein to consider the application dated 18-07-2024 regarding her retention at Govt. Bone and Joint Hospital Srinagar citing reasons that she was having very short stay at Govt. Bone and Joint Hospital Srinagar, however, has been transferred despite having immature stay period of only 10 months.

And whereas, the application of the petitioner was examined by the department/ authorities and was found to be devoid of any merits and facts because her transfer rather internal arrangement was made after examining the need, requisition and feasibility of the manpower in one of the sub offices (Govt.

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Lalla Ded Hospital Srinagar) of the institute working under one umbrella (administrative control of GMC Srinagar). Besides, the transfer of any employee is an incidence of service and is made according to administrative exigencies and any employee can't claim any right over it.

Now, therefore, in light the of above stated facts and circumstances, the representation (dated 18-07-2024) of the applicant for her retention at Govt. Bone and Joint Hospital Srinagar has been considered in compliance with the Hon'ble Central Administrative Tribunal Srinagar's Order (Oral) dated: 05-08-2024 in O.A No. 470/2024 titled Mrs. Mahfooza Akhter versus UT of J&K & Others and found it devoid of any merit. Hence rejected.


Principal/Dean,
Govt. Medical College, Srinagar


NO:-AH-9/Est-II/MC/ 2045-49

Dated:- 13 -09 -2024.

Copy for information and necessary action to the:

1. Secretary to Government, Health & Medical Education Department, Civil Secretariat J & K.
2. All respondents for information.
3. Mr. Rais Ud Din Ganie DAG, Hon'ble Central Administrative Tribunal Srinagar.
4. Assistant Law Officer, Govt. Medical College Srinagar.
5. In-charge I.T. Section, GMC Srinagar for uploading on the official website.
6. Concerned file for record and reference.