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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.No.1098/2001

Wednesday, this the 2nd day of May, 2001

HON'BLE SHRI S.A.T. RIZVI, MEMBER (A)

Smt. Radha Khatri
W/O Shri L.R. Khatri
Home Science Teacher Gr. II,
(Under orders of transfer)
Kendriya Vidyalaya, Refinery Nagar,
Mathura - 281006.

Present residential address

2/96, Refinery Nagar, Mathura-281006.

..Applicant.

(By Advocate: Shri D.N.Sharma)

VERSUS

1. Union of India
Through The Secretary to the Govt.of India,
Ministry of Human Resource Development,
Shastri Bhawan, New Delhi.
2. The Commissioner,
Kendriya Vidyalaya Sangathan,
18, Institutional Area, Shaheed Jeet
Singh Marg,
New Delhi-16.
3. The Assistant Commissioner,
Kendriya Vidyalaya Sangathan,
Sector 'J', Aliganj, Lucknow 226020
4. The Principal,
Kendriya Vidyalaya, Refinery Nagar,
Mathura - 281 006.
5. The Principal
Kendriya Vidyalaya, II-M,
Lucknow.

..Respondents

O R D E R (ORAL)

Heard the learned counsel appearing on behalf of
the applicant.

2. The applicant, a Home Science Teacher in Kendriya Vidyalaya, Refinery Nagar has been transferred vide respondents' order dated 13.4.2001 received by the

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(2)

applicant on 19.4.2001. She has been transferred from Mathura to Lucknow within the same State after a stay of nearly 24 years at Mathura. The transfer order shows that she has been transferred as a result of excess staff strength at Mathura. She is due to ~~retirement~~ on 31.7.2002. The learned counsel submits that since her retirement is only about one year away and also because Mathura happens to be her home town, she should not have been transferred. She has already been relieved from Mathura. The transfer policy framed by the KVS has not been placed on record to show how the same has not been followed properly in transferring the applicant. No malafide is alleged. In normal circumstances, a person with longest stay at a place is required to be moved out and that is what seems to have happened in the present case. The applicant has not revealed any fact to the contrary. Mathura is not far from Lucknow. Both the places are in the same State. In the circumstances, it should be possible for the applicant to continue to look after her legitimate interests even while posted at Lucknow. Transfer is after all an ~~incident~~ of service and the same can never be regarded as a punishment. Transfers are made frequently in exigencies of service and in public interest. The respondents are presumed to have transferred the applicant in accordance with the policy and in exigencies of service keeping in view all the relevant factors. The grounds taken by the applicant have failed to convince me. She has filed a representation before the Deputy Commissioner, KVS. I am sure the Deputy Commissioner will take an appropriate decision in the matter as expeditiously as possible.

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Meanwhile, I do not find any good ground for interference in this matter.

3. In the circumstances, the OA is summarily rejected. No costs.



(S.A.T. RIZVI)
Member (A)

/sunil/