

**Central Administrative Tribunal
Principal Bench, New Delhi**

O.A./100/1532/2020

This the 12th day of October, 2020

(Through Video Conferencing)

**Hon'ble Mr. Pradeep Kumar, Member (A)
Hon'ble Mr. R.N. Singh, Member (J)**



Navratan Mittal Son of Shri Hazari Lal Mittal
Aged about 40 years,
Resident of Quarter No. C-70, ONGC Colony,
Sivasagar (Assam)-785640 &
Presently working as Principal,
Kendriya Vidyalaya, ONGC,
Sivasagar (Assam)-785640 ... Applicant

(Through Sh.Vipul Diwakar, Advocate)

Vs

1. Kendriya Vidyalaya Sangathan (HQ)
18, Institutional Area,
Shaheed Jeet Singh Marg,
New Delhi-110016
Through its Commissioner
2. Assistant Commissioner (Estt. I)
Kendriya Vidyalaya Sangathan (HQ)
18, Institutional Area,
Shaheed Jeet Singh Marg,
New Delhi-110016 .. Respondents

(Through Shri S. Rajappa, Advocate)

ORDER (Oral)**Hon'ble Mr. Pradeep Kumar, Member (A):**

The applicant herein joined Kendriya Vidyalaya Sangathan as a Teacher PGT (Maths) in the year 2008.



Thereafter, he was directly recruited as Principal on 10.07.2017. He has been posted at Kendriya Vidyalaya, Sivasagar, Assam, which is a hard area.

2. The applicant pleads that he has completed three years tenure as a Principal in a hard area. As per the transfer policy, his case now needs to be considered for a choice posting. He is seeking transfer to Jaipur or at any other place in Rajasthan.

His request was rejected by Respondent KVS and feeling aggrieved by this rejection, he approached the Tribunal by filing OA No.1007/2020 which was disposed of on 05.08.2020 with direction to the respondents to decide upon his pending representation.

3. In compliance, an order has since been passed by the respondents on 9.09.2020. In this order, the respondents have advised as under :

“3. AND WHEREAS the transfer process for the year 2020-21 has not yet been initiated due to the Covid-19 pandemic.

4. AND therefore the request of the applicant will be considered as and when the transfer process starts, in the light of KVS Transfer Guidelines for Gp `A' and `B' officers (upto Section Officers), if he applies for transfer, as per his eligibility and entitlement in comparison with the other eligible Principal(s), as per available vacancies at that time.”



4. The applicant is aggrieved that his request for transfer has not been agreed to as yet and, therefore, he has filed the instant OA.

5. The applicant pleaded that the respondents have favoured some other employees as well as the KVS are having malice towards him.

6. The matter has been heard at admission stage. The Tribunal finds that in compliance of the directions dated 05.08.2020, the respondents have already passed an order (Para 3 supra). It is indicated therein that as soon as the transfer process in respect of the year 2020-21 is initiated, which is presently held up due to Covid, the case of the applicant shall also be considered.

7. In view of these clear directions by KVS, the Tribunal does not find any merit in the pleas put forth by the applicant (para 5 supra). The Tribunal also does not find it necessary to keep the OA pending.



Accordingly, the OA is disposed of with liberty to the applicant to approach this Tribunal in accordance with law, if his grievance still subsists once the respondents have taken action in respect of annual transfers for the year 2020-21. No costs.

(R.N. Singh)
Member (J)

(Pradeep Kumar)
Member (A)

/dkm/sarita/uma/